
MINUTES OF THE PROCEEDINGS
OF
THE COUNCIL

OF THE
CITY OF PITTSBURGH
FOR THE YEAR
1997

VOLUME 131-A

TABLE OF CONTENTS

<u>TITLE</u>	<u>PAGE</u>
Address and Remark	1
Cohen, Dan	1
Cusick, Joe	2
Ferlo, Jim	2
Hertzberg, Alan	4
McDonald, Valerie	4
O'Connor, Bob	5
Onorato, Dan	6
Ricciardi, Gene	6
Udin, Sala	7
Agreement	8
Agreement (Amending)	14
Appointment	15
Budget	16
Capital Budget	16
Capital Budget (Amending)	17
Communication	18
Conditional Use Exception	20
Contract	22
Contract (Amending)	27
Cooperation Agreement	28
Encroachment	30
Encroachment (Amending)	34
Encroachment (Repealing)	34
Grant	34
Historic Designation	35
Lease	35
Lease Agreement	36
License	36
License Agreement	37
Miscellaneous	37

Motion	43
Petition	44
Pledgee	45
Read and Adopted	46
Cohen, Dan	46
Cusick, Joe	48
Ferlo, Jim	49
Hertzberg, Alan	49
McDonald, Valerie	51
O'Connor, Bob	53
Onorato, Dan	54
Ricciardi, Gene	57
Udin, Sala	57
Reappointment	58
Residential Parking Permit	59
Right of Entry	59
Sale of Property	60
Sale of Property (Acceptance)	60
Sale of Property (Amending)	60
Sale of Property (Conveyance)	60
Sale of Property Quit Claim Deed	62
Sale of Property Repealing	62
Sewage Facilities Plan	62
Transfer	63
Trust Fund	66
URA	66
Vacation	67
Warrant	68

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Cohen, Dan	Discussion on the Civilian Review Board nominees.	938
Cohen, dan	Discussion on the convention center expansion	45
Cohen, Dan	Discussion on Bill No. 1541 in regards to the firefighters.	70
Cohen, Dan	Discussion on crossing guards.	98
Cohen, Dan	Discussion on the MagLev Project.	933
Cohen, Dan	Discussion on the PUC and their rates.	1144
Cohen, Dan	Discussion on the Living Wage Bill.	1406
Cohen, Dan	Discussion on the prison escape on the North Side.	47
Cohen, Dan	Discussion regarding the reappointment of Jim Roddey to the Allegheny County Sanitary Authority.	23
Cohen, Dan	Discussion on Pittsburgh Police Officers.	753
Cohen, Dan	Discussion on the Civilian Review Board.	893, 895, 899
Cohen, Dan	Discussion on ethnic intimidation.	1187
Cohen, Dan	Discussion on Council passing Resoltuion No. 1083 on Sept. 14, 1993 in regards to a comprehensive review of the number of weapons confiscated in the building and the cost of installing metal detectors.	12
Cohen, Dan	Discussion on Civilian Review Board nomination process.	964
Cohen, Dan	Discussion on security in the City County Building and Courthouse. (metal detectors)	11

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Cohen, Dan	Discussion on Parking Pad legislation.	130
Cohen, Dan	Discussion on the Mayor's Budget.	1421
Cusick, Joe	Discussion on the City of Pittsburgh youth curfew.	578
Cusick, Joe	Discussion on crossing guards.	98
Cusick, Joe	Discussion on Curfew Ordinance that became effective November 14, 1995.	875
Cusick, Joe	Discussion on Parking Pad legislation.	129
Cusick, Joe	Discussion on the Civilian Review Board.	896, 901, 902
Ferlo, Jim	Discussion on the Regional Renaissance Sales Tax increase.	942
Ferlo, Jim	Discussion on the Resolution sponsored by Mr. Hertzberg in regards to the selling of State Liquor Stores.	85
Ferlo, Jim	Discussion on the cost of cablecasting Council Hearings.	1062
Ferlo, Jim	Discussion on Pittsburgh Police Officers.	756
Ferlo, Jim	Discussion on City of Pittsburgh police, ACLU and the consent decree.	209
Ferlo, Jim	Discussion on the accessibility to Council Chambers.	93
Ferlo, Jim	Discussion on Civilian Review Board nominees and the Regional Renaissance Sales Tax.	965
Ferlo, Jim	Discussion on the Civilian Review Board nominees.	941

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Ferlo, Jim	Discussion on sending a letter to Port Authority from City Council in regards to Port Authority communicating to Council when it comes to transportation issues affecting the respective Council District.	533
Ferlo, Jim	Discussion on the MagLev Project.	933, 938
Ferlo, Jim	Discussion on the 911 consolidation with the county.	1332
Ferlo, Jim	Discussion on Parking Pad legislation.	132
Ferlo, Jim	Discussion on ethnic intimidation.	1182
Ferlo, Jim	Discussion on the Justice Department and the Consent Decree.	172
Ferlo, Jim	Discussion on crossing guards.	101
Ferlo, Jim	Discussion on the creation of a Civilian Police Review Board.	13
Ferlo, Jim	Discussion on the proposed expansion of the Covention Center downtown.	43
Ferlo, Jim	Discussion on the PUC and their rates.	1141
Ferlo, Jim	Discussion on Bill No. 2177 regarding the creation of the Civilian Review Board.	892, 894, 897
Ferlo, Jim	Discussion on the prison break on the North Side.	26
Ferlo, Jim	Discussion on the Mayor's Budget.	1419
Ferlo, Jim	Discussion on a letter that he received from State Rep. David Levdansky in regards to the Mon-Fayette Expressway.Southern Beltway.	874

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Ferlo, Jim	Discussion on budget allocations for each Council member, \$84,000 in salary and \$4,000 in non-salary.	10
Hertzberg, Alan	Discussion on the PUC and their rates.	1145
Hertzberg, Alan	Discussion on the sale of state liquor stores to fund the expansion of the convention center and the new proposed stadiums.	46
Hertzberg, Alan	Discussion on Airport Busway HOV.	743
Hertzberg, Alan	Discussion on the MagLev Project.	936
Hertzberg, Alan	Discussion on the accessibility to Council Chambers.	94
Hertzberg, Alan	Discussion on Bill No. 1541 in regards to the Fire Bureau.	76
Hertzberg, Alan	Discussion on crossing guards.	100
Hertzberg, Alan	Discussion on the Regional Renaissance Sales Tax.	943
Hertzberg, Alan	Discussion on the Civilian Review Board.	893
Hertzberg, Alan	Discussion on the Justice Department and the Consent Decree.	174
Hertzberg, Alan	Discussion on ethnic intimidation.	1189
Hertzberg, Alan	Discussion on Parking Pad legislation.	131
Hertzberg, Alan	Discussion on the Mayor's Budget.	1421
McDonald, Valerie	Discussion on ethnic intimidation.	1184
McDonald, Valerie	Discussion on the Civilian Review Board nominees.	940
McDonald, Valerie	Discussion on the Living Wage Bill.	1406

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
McDonald, Valerie	Discussion on the Mon Fayette Expressway.	1155
McDonald, Valerie	Discussion on the Civilian Review Board.	899
McDonald, Valerie	Discussion on the PUC and their rates.	1146
McDonald, Valerie	Discussion on crossing guards and voting NO on Bill No. 1565 in regards to crossing guards.	97
McDonald, Valerie	Discussion on Pittsburgh Police Officers.	758
Murphy, Tom	Presenting the City's Operating Budget for 1998.	1272
O'Connor, Bob	Discussion on Bill No. 1541 in regards to positions in the Fire Bureau.	70
O'Connor, Bob	Discussion on the prison escape on the North Side.	48
O'Connor, Bob	Discussion on the PUC and their rates.	1147
O'Connor, Bob	Discussion on crossing guards.	97
O'Connor, Bob	Discussion on Pittsburgh Police Officers.	758
O'Connor, Bob	Discussion on the Resolution sponsored by Mr. Hertzberg in regards to the selling of State Liquor Stores.	86
O'Connor, Bob	Discussion on ethnic intimidation.	1186
O'Connor, Bob	Discussion on the Mon Fayette Expressway.	1154
O'Connor, Bon	Discussion on the MagLev Project.	930, 935, 937

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Onorato, Dan	Announcing Public Hearing at Allegheny Middle School on the Zoning Code at 6:30 pm.	1252
Onorato, Dan	Discussion on the convention center expansion.	44
Onorato, Dan	Discussion on the Civilian Review Board.	895
Onorato, Dan	Discussion on the Justice Department and the Consent Decree.	174
Onorato, Dan	Discussion on the prison break on the North Side from the Penitentiary.	25
Onorato, Dan	Discussion on Bill No. 1541 in regards to the Fire Bureau.	72
Onorato, Dan	Discussion on the Civilian Review Board nominees.	939
Onorato, Dan	Discussion on crossing guards.	98
Onorato, Dan	Discussion on the PUC and their rates.	1149
Onorato, Dan	Discussion on City of Pittsburgh police, ACLU and the consent decree.	207
Ricciardi, Gene	Discussion on the Living Wage Bill.	1405
Ricciardi, Gene	Discussion on the Civilian Review Board.	898, 903
Ricciardi, Gene	Discussion on the establishment of a Citizens Police Review Board.	172
Ricciardi, Gene	Discussion on Bill No. 1541 in regards to the Fire Bureau, and voting NO on the recommittal of the bill.	73
Ricciardi, Gene	Discussion on the Resolution sponsored by Mr. Hertzberg in regards to the selling of State Liquor Stores.	84

Address and Remarks

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Ricciardi, Gene	Discussion on the convention center and the sale of state stores to fund the project.	44
Ricciardi, Gene	Discussion on ethnic intimidation.	1188
Ricciardi, Gene	Discussion on crossing guards.	99
Udin, Sala	Amendments to the Operating and or Capital Budget for 1998.	1429
Udin, Sala	Discussion on the Mon Fayette Expressway.	1155
Udin, Sala	Discussion on the referendum question in regards to the Citizen Police Review Board.	571
Udin, Sala	Discussion on the Civilian Review Board.	898
Udin, Sala	Discussion on ethnic intimidation.	1186
Udin, Sala	Discussion on the MagLev Project.	932, 937
Udin, Sala	Discussion on Mr. Ricciardi's amendment to Bill No. 1564 in regards to crossing guards.	100
Udin, Sala	Discussion on the signing of 20,000 signatures for the spring primary ballot to include an establishment of a Citizens Police Review Board.	172
Udin, Sala	Discussion on the Living Wage Bill.	1406
Udin, Sala	Discussion on City of Pittsburgh police brutality.	206
Udin, Sala	Discussion on the Telecommunications Taskforce in the Mayor's Office for the City of Pittsburgh.	11
Udin, Sala	Discussion on the Mayor's Budget.	1418

Agreement

BILL NUMBER	SUBJECT	PAGE
1502	Individual amounts of \$10,000 or less with various performers, instructors and artists in connection with the various recreational program for the calendar year 1997.	6, 42
1506	Agreement with the Commonwealth of PA Dept. of Transportation for installation, maintenance and energizing of highway lighting on the Blvd. of the Allies	8, 39
1543	For upgrades to the City's existing information system infrastructure, cost not to exceed \$50,000.	37, 95
1568	Agreement with various hospitals and/or physicians for professional services.	127
1580	Agreement with Agencies that operate Emergency Shelters for the homeless in the City of Pittsburgh at a cost not to exceed \$582,000.00.	89, 168
1608	Agreement with Service Provider to provide food and beverages for the Mayor's Awards Ceremonies.	125, 200
1609	Agreement with Dickie, McCamey & Chilcote, P.C. for professional legal services for the Controller's Office.	126, 200
1628	Agreement with various community organizations for \$128,250.00.	162
1652	Mayor and the Director of Engineering and Construction enter into an agreement of Cooperation with the Pgh. Cultural Trust in an amount not to exceed \$550,000.00.	195

Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1656	Mayor and Director of General Services and Engineering and Construction for an agreement for the renovation and maintenance of various public buildings at a cost not to exceed \$91,179.50.	196
1660	KPMG Peat Marwick LLP for professional services for the City Controller.	197
1823	Agreement with Omiya, Japan establishing Sister City Status.	502
1871	Agreement with City Source Associates for the purpose of providing professional services for 1997 Community Enrichment Program cost not to exceed \$130,500.00.	565
1876	Agreement with various community organizations for operational and administrative expenses for the benefit of the residents of the City at a cost not \$1,171,050.00.	561
1877	Agreement with various community organizations for operational/administrative expenses for the benefit of the residents of the City, at a cost not to exceed \$1,121,050.00.	561
1877	Various community organizations for operational administrative expenses at a cost not to exceed \$1,121,050.	496
1878	Pittsburgh Partnership for operational and or administrative expenses.	496, 562, 970
1879	Community based organizations within the City neighborhoods.	496, 562

Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1880	Health Education Center for operational/administrative expenses.	496, 562
1881	Various consultants and vendors to assist the City in approving the citizen participation process.	496, 562
1882	Byrd Brown law offices for legal representation for the Pittsburgh Commission on Human Relations.	496, 562
1885	General Services and Public Safety into an agreement with AT&T Wireless Services pertaining to the Crossing Guards Safety program.	497, 570
1898	Various consultants for design and implementation of the City wide training program.	498
1913	Agreement with the Jewish Healthcare Foundation to provide services to persons with HIV/AIDS.	527, 563
1943	Agreement with Port Authority 3 of Allegheny County to construct a permanent easement on Glenmar Street lot and block 20 B 34.	559, 587
1959	Agreement with the Spring Hill Civic League to use the first floor of the former Spring Hill fire station as a recreational activity center.	575, 593
1973	For the purpose of conducting planning and management studies and relative activities in an amount not to exceed \$250,000.	585, 741
1982	Agreement for reconstruction of Frick Park Playground at Forbes and Braddock cost not to exceed \$325,000.	586

Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2037	Agreement with a data collection agency and processing service to allow recipients to pay parking citations via telephone.	704
2093	Psychologist(s) for professional psychologist services at a cost not to exceed \$65,000.	693
2099	For the purchase of equipment in connection with the renovations of various swimming pools, cost not to exceed \$107,000.00.	694
2195	Pittsburgh Mediation Center for professional services not to exceed \$20,000.	892
2200	Commonwealth to reimburse the state for the City's share of upgrading traffic signals on Second Avenue, not to exceed \$13,000.	919
2213	Hiring of Counsel to assist in outside legal Counsel.	880
2214	Hill CDC to provide management of certain parcels of land.	880
2227	Dept. of Personnel, for the relocation of the Single Point of Contact Offices in the John P. Robbins Civic Building.	885
2229	Amendment to a supplemental agreement for a lease to the County of Allegheny County of the 6th floor of the City County Bldg., rent of \$240,000.	885
2234	Hiring of Counsel to assist in representation of the city regarding the merger of Duquesne Light, not to exceed \$75,000.	880
2350	Parks and Rec with West End Elliott Athletic Association.	1043, 1164

Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2353	URA for the transfer of funds from the Authority to the City, in the amount of \$61,337.10.	1044, 1161
2354	URA for the designation for a grant applied for in the amount of \$3,115,000 for the Housing Recovery Program.	1044, 1161
2365	For the provision of analysis design of the Early Warning System not to exceed \$500,000.	1046, 1158,1167
2380	Purchase of Pharmaceutical Services for the Bureau of Emergency Services for 1997, 1998 and 1999, cost not to exceed \$15,000.	1079, 1199
2386	Community organizations for purchase of equipment, cost not to exceed \$1,121,050.	1080, 1198
2387	Cooperation agreement with the Housing Authority for the Central Relocation Agency, cost not to exceed \$350,000.	1081, 1198
2443	URA as the City's agent to provide professional services that will advance riverfront park and trail development.	1177
2451	Consultants to conduct parking studies to see if selected Pgh Neighborhoods meet the RPPP criteria.	1179
2451	Consultant to conduct parking studies in Pittsburgh residential neighborhoods, cost not to exceed \$15,000.	1246

Agreement		
<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2452	Frederick Harris to provide transportation planning for the study of West Carson Street Corridor.	1179
2452	Frederick Harris for the purpose of urban design services for West Carson Street Corridor, cost not to exceed \$75,000.	1246
2506	Pa Dept. of Conservation and Natural Resources.	1239, 1300
2515	Pa Dept. of Conservation and Natural Resources.	1241, 1294
2516	Creation of a wetland on the Nine Mile Run site, cost not to exceed \$120,000.	1241, 1294,1353
2518	Administrative/staff costs related to the Nine Mile Run Rivers Conservation Plan, cost not to exceed \$65,000.	1242, 1295
2523	Between the City and the Township of Baldwin for resurfacing of Ely Road.	1242, 1291
2557	Professional services for the Mayor's Youth Initiative for Serious Offenders, not to exceed \$60,000.	1286, 1403
2558	Provision of salvor services for the Bureau of Police.	1286, 1383
2623	Charles Kolling for consulting services to assist the City in acquiring state assistance.	1349, 1366,1399
2649	Executing agreements with the PA Dept. of Community and Economic Development.	1396
2652	Court Reporter with the taking of testimony at Civil Service Commission.	1397

Agreement

BILL NUMBER	SUBJECT	PAGE
2653	Consultant for the design of City Wide training programs.	1397
2668	Provision of operating support to Community Based Organizations.	1415

Agreement (amending)

SPEAKER	SUBJECT	PAGE
1627	Agreement with various community organizations for \$117,000.00.	162
1872	Amending Res. 87 of 1997, agreement with various community organizations for operation and administrative expenses, cost not to exceed \$108,000.	529
1875	Amending Res. 104 of 1997, various community organizations for operational/administrative expenses for the benefit of the residents of the City at a cost not to exceed \$129,250.00.	561
2064	Amending Res. 115 of 1997, renovations and maintenance of various public buildings, increasing allocation by \$125,000.00.	742
2065	Amending Res. 289 of 1991, widening of Penelope Street, by increasing the allocation by \$20,000.	742
2384	Amending Res. 950 of 1995, an agreement with various organizations for the purchase of equipment for neighborhood facilities.	1080, 1198
2385	Amending Res. 294 of 1997, agreement with various community organizations, cost not to exceed \$1,171,050.00.	1080, 1198

Agreement (amending)

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2505	Amending Res. 266 of 1996, for cable consulting services which shall include legal and accounting services, cost not to exceed \$40,000.	1239, 1302
2595	Amending Res. 165 of 1997, construction of an addition to the Phillips Park Recreation Building.	1320, 1384
2686	Amending Res. 456 of 1997, URA providing maintenance agreement.	1462

Amendment Service Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2104	Execute an amendment service agreement with the Borough of Pum.	695

Appointment

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1591		Appointing Geneva Twyman as a member of the Water Exoneration Hearing Board for a term to expire 1-31-99.	92
1641		Appointing Robert Ewanco as a member of the Stadium Authority for a term to expire December 31, 2001.	171
1689		Appointing Moira Harrington as a member of Pittsburgh Magistrates Court, term to expire December 31, 2000.	227
2338		Appointing Edward Wunderly as a member of the Board of Standards and Appeals, term to expire September 30, 1998.	1049

Appointment

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2395		Appointment of Robert Kroner as a member of the Citizens Police Review Board, term to expire October 31, 1999.	1090
2396		Appointment of John Burkoff as a member of the Citizens Police Review Board, term to expire October 31, 1999.	1090
2636		Steve Leeper as a member of the Pittsburgh Water and Sewer Authority, term to expire 11-30-02.	1364, 1398
2663		Patricia Bagley as a member of the Housing Authority, term to expire December 31, 1998.	1404, 1417

Budget

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1541	Amending Resolution No. 1017 effective Jan. 1, 1997, by fixing the number of officers and employees of the City of Pittsburgh and by increasing the number of positions within the Bureau of Fire, Department of Public Safety.	36, 70, 95
2603	Making appropriations to pay the expenses of conducting the public business of the City of Pgh.	1321, 1429
2604	Fixing the number of officers and employees of the City of Pittsburgh.	1321, 1429

Capital Budget

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2605	Approving the 1998 Capital Budget and CDBG Program.	1321, 1429

Capital Budget (amending)

BILL NUMBER	SUBJECT	PAGE
1653	Approving the 1997 Capital Budget and the 1997 CDBG Program, by creating a new line item, Lower Allegheny Riverfront Park.	195
1655	Approving the 1994 Capital Budget and the 1994 CDBG Program by increasing Meadon Street Bridge Rehabilitation Trust Fund Transfer by \$150,000.00 from \$1,600,000.00 to \$1,750,000.00.	196
1681	Approving the 1997 Capital Budget and approving the 1997 CDBG program by adding a line item Windom Street, \$300,000.00.	226
1806	Amending Res. 1415 of 1991 adopting and approving the 1991-1996 capital improvement program by reducing line item URA public space improvement from 500,000 to 300,000.	502
2063	Amending Res. 1018 of 1997, adopting the 1997 Capital Budget, by increasing and decreasing various line items.	741
2067	Amending Res. 1018 of 1997, adopting the 1997 Capital Budget, by increasing a line item Bridge Maintenance Program by \$50,000.	742
2068	Amending Res. 1018 of 1997, adopting the 1997 Capital Budget, by increasing a line item Building Maintenance Program by \$125,000.	743
2100	Amending Res. 1018 of 1997, adopting the 1997 Capital Budget by adding \$107,000.00 as a 1997 appropriation to an existing program (pool rehab.)	695

Capital Budget (amending)

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2455	Amending and supplementing Res. 498 of 1997, making appropriations to pay the expenses of conducting the Public Business of the City and meeting the debt thereof.	1179
2514	Amending Res. 1018 of 1997 by creating a new line item (volunteers and McBride Ballfields).	1241, 1303
2594	Amending Res. 1018 of 1997, by moving the funding the reconstruction of Wood Street.	1320, 1384
2670	Amending Res. 1018 of 1997, by increasing a line item (Neighborhood Street Improvements).	1416

Communication

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2593		Communication from Eloise Hirsh requesting approval for Edward Henry to attend a strategic planning.	1319
1636	Costa, Guy	Communication from Guy Costa, Exec. Director, Public Parking Auth. Submitting employees names, positions and salaries as of January 1997.	164
2680	Ferlo, Jim	Submitting notification to Council that a Special Legislative Session will be held on December 19, 1997/	1428
1592	Flaherty, Tom	Communication from City and School Board Controller, submitting the performance Audit of the Board of Education School District of Pittsburgh, January 1997.	92
1593	Flaherty, Tom	Submitting the City of Pittsburgh's Single Audit Report for the year ended 12-31-95.	92

Communication

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1918	Flaherty, Tom	Submitting the City's comprehensive annual financial report for the fiscal year ended December 31, 1996.	527
1965	Flaherty, Tom	Submitting the physical audit of the Dept. of General Services warehouse inventory dated December 1996.	576
1611	Hennigan, Paul	Communication from Paul Hennigan submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of November 30, 1996.	126
1635	Hirsh, Eloise	Communication from Eloise Hirsh, Director, City Planning, submitting the recertification of Area D, Central Oakland, residential parking permit program.	164
1900	Hirsh, Eloise	Submitting the recertification of Area A, Lawrenceville/Bloomfield for the residential parking permit program in accordance with the Pittsburgh Code, Title Five, Traffic, Chapter 549.	498
2458	Hirsh, Eloise	Submitting the recertification of Area J, West Shadyside Bellefield for Residential Parking Permit Program.	1180
2531	Hirsh, Eloise	Submitting the recertification of Area T, Beechview for the Residential Parking Permit Program.	1243
1533	Lengyel, Joseph	Submitting the Authority's personnel and rate report as of December 31, 1996.	23

Communication

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1637	Lowe, Stanley	Communication from Stanley Lowe, Exec. Director, Pgh. Housing Auth. Submitting a list of names and salaries of the employees as of 12-31-96.	164
1516	Miscovich, Deborah	Communication from Deborah Miscovich, Director of General Services submitting the Pittsburgh Cable Communications Advisory Committee 1995 Annual Report.	9
1917	Murphy, Tom	Requesting approval for William Ballas to attend the National Crime Prevention Workshop at the Robert Morris College, Moon Township Campus, cost not to exceed \$170.	527
1687	Parees, Barbara	Communication from Barbara Parees, Director of Personnel requesting approval for John Turyan, a non city employee.	227

Conditional Use

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1505	Approving a conditional use, Section 993.01(a)A(20)_Chapter 993, Pittsburgh Board of Education for authorization to convert an existing 3 story structure located at 3530 Fleming Avenue into a middle school. (27th Ward)	8, 41
1529	Operation Nehemiah for authorization to use an existing two story dwelling located at 7325 Tioga Street as a group facility for 8 juveniles, 13th ward.	22, 79

Conditional Use

BILL NUMBER	SUBJECT	PAGE
1583	Conditional Use exception under Section 993.01(a)A(4) to Dieter H. Peitzsch for authorization to occupy the lot located at 760 Broughton Street as a customer and employee parking area for MNW motors, 4801 Baum Blvd.	90
1603	Title Nine, Zoning, to the University of Pittsburgh to construct a three-story fraternity house.	125
2450	Title Nine, Zoning, to Anthony and Deborah Amato for authorization to construct a clustered residential development with six townhouses.	1178
2453	Chatam College for authorization to construct a three story, 22,000 square foot extension to the existing Buhl Science Building.	1179, 1353

Conditional Use Exception

BILL NUMBER	SUBJECT	PAGE
1888	Beltzhoover Apartments, Inc. to construct a three story structure with 23 units of housing for the elderly at 29 Sylvania Avenue, 18th Ward.	497
1890	Carlow College to construct a three and four story 95,970 square foot center for science and technology at 333 Fifth Avenue, 4th Ward.	497
1938	Carnegie Mellon University to construct a three story and basement 95,000 square foot Performing Arts Center.	558
2231	Troy Hill Medical Associates for authorization to use a vacant lot at 1412 Claim Street.	882

Conditional Use Exception

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2519	Conditional Use Application No. 668 for expansion of a bed and breakfast at 703 South Negley Avenue.	1242, 1295

Contract

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1537	Demolition and removal of condemned buildings, cost not to exceed \$150,000.00.	34, 138
1538	Demolition and removal of condemned buildings, cost not to exceed \$550,000.00.	34, 138
1544	For the acquisition of software maintenance and upgrades for PeopleSoft Software, cost not to exceed \$304,000.00.	37, 95
1545	For the implementation of automated systems for various City Depts, cost not to exceed \$30,000.00.	37, 95
1657	Director of General Services and Engineering and Construction enter into a contract for the installation of Debris Nets for the Greenfield Avenue Bridge, at a cost not to exceed \$100,000.00.	196
1680	Wall, Step and Fence Program at a cost not to exceed \$469,518.53.	225
1683	Street resurfacing programs at a cost not to exceed \$800,000.00.	226
1825	Execution of a contract for disposition of land by and between the URA and PHASE for property on Chester Avenue at Burgess Street.	502

Contract		
BILL NUMBER	SUBJECT	PAGE
1826	Execution of a contract for disposition of land by and between the URA and Artspace Pittsburgh Limited Partnership.	503
1886	Contract for the rehabilitation of playgrounds throughout the City.	497, 570
1935	Execution of a disposition contract by and between URA and East Liberty Dev. Inc. and the Community Builders for the sale of block 83 N 124.	558, 592
1954	Disposition contract by and between URA and Valente Casciato for the sale of Block 25D in the 6th Ward.	574
1955	Disposition contract by and between URA and John F. and Carol G. Labdu for the sale of Block 29-M, 3808 Frazier Street.	574
1956	Disposition contract by and between URA and Albert Elovitz for the sale of Parcel 1 in the 6th ward.	575
1957	Disposition contract by and between URA and PEIDC for the sale of Parcels 4 and 6 in the 24th ward.	575
1958	Disposition contract of land for the sale of Parcel 1, Subdistrict 2 East and part of Parcel 1, Subdistrict 1 East by and between the URA and PEIDC.	575
1976	Disposition contract by and between the URA and Carl Swoop for the sale of Parcels 244F and 244C2 in the 21st Ward.	586

<i>BILL NUMBER</i>	Contract	
	<i>SUBJECT</i>	<i>PAGE</i>
1977	Disposition contract by and between URA and Teresa Lee.	586
1978	Disposition contract by and between the URA and Neighborhood Centers Association.	586
1979	Disposition contract by and between the URA and Christopher Syms.	586
1980	Disposition contract by and between the URA and Kenneth Crawthorn.	586
1981	Disposition contract by and between the URA and Joseph Williams III and Darrell Williams.	586
1983	Contract for flexible beam guide rails in CDBG areas, cost not to exceed \$10,000.	586
1987	Contract for legal counsel for defense of workers' compensation and heart and lung claims, cost not to exceed \$165,000.	587
1988	Contract with Allegheny General Hospital for ancillary services for workers' compensation, cost not to exceed \$4,446,661.	587
2066	Perform required bridge maintenance at various locations, cost not to exceed \$309,000.	742
2094	Purchase of two vehicles for the Emergency Operations Center.	694
2095	Purchase of fire hose for the Bureau of Fire, Department of Public Safety.	694
2106	Contract for the purchase and delivery of a new computer software cost not to exceed \$46,000.	695

Contract		
BILL NUMBER	SUBJECT	PAGE
2169	Demolition and removal of condemned buildings, cost not to exceed \$50,000.	869
2238	Various energy related costs for the Dept. of General Services, cost not to exceed \$50,000.	885
2281	Hiring of an Auditor to comply with the Consent Decree, cost not to exceed \$130,000.00.	930
2282	Hiring of an accounting firm to work with the Auditor on the Consent Decree, cost not to exceed \$40,000.00..	930
2315	Purchase of equipment for Senior Interests Program, cost not to exceed \$35,000.	1086
2316	Payment of supplies in connection with the Baseball is Great Youth League, cost not to exceed \$75,000.	1087
2317	For the payment of supplies and to provide center services for the HACP recreational and Senior Citizens Program, cost not to exceed \$945,000.	1087
2319	Fence repairs at Crispin Field, cost not to exceed \$10,000.	1084
2357	URA and Crosstown Builders for the sale of certain property in District 6.	1044, 1162
2359	For the renovations to the City County Building cost not to exceed \$325,000.	1045
2412	Hire two consultants for the purpose of providing legislative analysis of the new zoning code, not to exceed \$5,000.	1150, 1196

<i>BILL NUMBER</i>	<i>Contract SUBJECT</i>	<i>PAGE</i>
2415	Purchase of vehicle fleet and energy management software, etc., cost not to exceed \$90,000.	1151
2415	Purchase of vehicle fleet and energy management software and related equipment, cost not to exceed \$90,000.	1251
2444	Execution of Contract by the URA and Crawford Square Apartments.	1248
2445	Execution of Contract by the URA and Manchester Citizens Corp. for the sale of certain properties.	1248
2446	Execution of Contract by the URA and Manchester Housing Partnership for the sale of 1429 Nixon Street.	1249
2447	Execution of Contract by the URA and Manchester Housing Partnership for the sale of properties in the 21st ward.	1249
2448	Execution of Contract by the URA and Jerome Williams for the sale of 1120 Herron Avenue.	1250
2449	Plumbing and Electrical Services for the construction of a concession stand at Sullivan Field, not to exceed \$20,700.	1178
2449	Plumbing and Electrical Services in connection with the construction of a concession stand at Sullivan Field.	1250
2512	Renovations of Volunteers and McBride Ballfields, cost not to exceed \$490,000.	1240, 1303
2513	Street Tree Plating cost not to exceed \$50,000.	1241, 1303

Contract

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2522	Purchase of materials for the graffiti removal program.	1242, 1291
2539	Renovation of the Spring Hill Fire Station No. 53.	1331
2570	Contract for the Citizens Police Review Board for the hiring of Counsel to assist in the representation of the CPRB, cost not to exceed \$20,000.	1287, 1352
2572	Director of Management & Budget enter into contract for researching, analyzing and formulating a Pittsburgh Plan B.	1288, 1322
2590	Various repairs and renovations for the Auto Task Force Building and other city facilities.	1319
2596	Reconstruction of Wood Street from Liberty Avenue to Fourth Avenue.	1320, 1385
2630	Printing of the 1998 edition of the summer Magazine and recreational materials for the Dept. of Parks and Rec.	1363, 1424
2667	URA and Mascaro Construction Co. for the sale of Parcel 1, Metropolitan st. at Columbus Ave.	1415
2669	Chartiers Avenue/Hillsboro Street Intersection Improvement.	1416

Contract (Amending)

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1631	Renovation of play areas at Cliffside Parklet and Marshall/Shadeland Parklet.	163, 228

Contract (Amending)

BILL NUMBER	SUBJECT	PAGE
1654	Contract for the Rehabilitation of the Meadow Street Bridge and providing for a reimbursement agreement with the Commonwealth of PA and Dept. of Transportation by increasing the allocation to \$1,750,000.00.	196
1682	Purchase of play equipment and play area safety improvements by decreasing the total allocation to \$16,986.00.	226
1803	Amending Res. 633 of 1994, providing for a contract for the renovation of recreation centers and senior centers at a cost not to exceed \$50,000 by decreasing the total allocation from \$300,000 to \$250,000.	510
1804	Amending Res. 130 of 1997, providing for a contract in connection with the Wall, Step and Fence Program at various areas throughout the City by increasing the total project allocation by \$175,000 from 4469,518 to \$644,518.	510
2673	Amending Res. 198 of 1997, street resurfacing in CD areas throughout the City.	1416

Cooperation Agreement

BILL NUMBER	SUBJECT	PAGE
1651	Providing for a three party cooperation agreement with the City, The Pittsburgh Cultural Trust, County of Allegheny with the construction of the Lower Allegheny Riverfront Park.	195

Cooperation Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1678	Agreement providing for the transfer of \$150,000.00 to the Equipment Leasing Authority for the purchase of vehicles, radios and equipment.	224
1972	Transfer in the amount of \$3 million to the City of Pgh Equipment Leasing Auth. For the purchase of vehicles.	585
1975	Cooperation agreement with the URA for the performance of certain work in connection with the 1997 and 1998 Community Development Block Grant.	586
2226	Providing for the transfer of \$50,000 to the Equipment Leasing Authority for the purchase of two vehicles for Parks and Rec.	891
2230	U.S. Army Corp. of Engineers to acquire right of way to construct the Lower Saw Mill Run Flood Protection Improvements, 3.25 million.	919
2542	URA in connection with the Ansonia Place Project.	1330
2633	URA, Allegheny County for the coordination of residential and economic development activities.	1364, 1400

Dedication

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2103	Accepting the dedication by the URA to the Technology Center.	695

Encroachment

BILL NUMBER	SUBJECT	PAGE
1507	Granting unto Michael Bearer an encroachment for a handicap ramp on a portion of the sidewalk on Woodland Avenue, 27th Ward, District 1.	8, 39
1508	Granting unto Andrew Kubiczki an encroachment to construct at his own expense and cost, a concrete slab house, deck and porch at 18 Hackstown Street, 17th Ward 3rd Council District	8, 39
1509	Granting unto Union Grill an encroachment to construct a sidewalk café on portion of the sidewalk area at 413 South Craig Street in the 4th Ward, Council District 8.	8, 40
1510	Granting unto Bell Atlantic Network Services, Inc., an encroachment to construct telephone enclosures on a portion of the sidewalk area at various locations throughout the City.	8
1511	Granting unto Jerome Segal and Monica Zettler-Segal an encroachment to construct a fence on 967 Macon Street in the 14th Ward, 5th Council District.	8, 40
1512	Granting unto Fort Hill Development Company to construct a handicap ramp on a portion of 2318 Arlington Avenue, 16th Ward, 3rd Council District.	9, 40
1585	Granting unto Ernest Sota, 507 West Main Street, an encroachment to construct concrete steps and landing on Jane Street in the 17th Ward.	91, 128

Encroachment

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1586	Granting unto Patricia Rethage, 131 Hackstown Street, an encroachment to construct a driveway and guardrail on Hackstown Street in the 17th Ward, 3rd Council District.	91, 128
1604	Granting unto Smallman Brewing Co. to construct a balcony with 5 steel columns, window covers, bollards, sidewalk café and trees area on Smallman Street.	125, 200
1632	Granting unto Walter and William Pierce, June Brown, to construct a lateral under a portion of the sidewalk on Harbor Street in the 26th Ward.	163
1633	Granting unto Douglas Guy, to construct a driveway on a portion of the right of way on Dunbar Way in the 4th Ward.	164
1832	Granting unto William Bonach, to construct a four by four foot wheelchair lift at 320-37th Street.	500
1833	Granting unto Church of Jesus Christ of Latter Day Saints, to construct a parking area, sanitary and storm sewers and electrical lines to property at Chesney Way.	501, 528
1834	Granting unto Kanes Courtyard to construct a handicap ramp and steps on Winthrop Street.	501, 529
1835	Granting unto Russell Hunter, to construct a wheelchair platform and retaining walls on Alton Street.	501
1836	Granting unto Primanti Bros. Bar & Grill, to construct a sidewalk café on #2 South Market Place.	501

Encroachment

BILL NUMBER	SUBJECT	PAGE
1837	Granting unto Ron Julkowski to construct a wood and single canopy at 908 Brookline Blvd.	529
1838	Granting unto Towne Place Apartments, to construct a four foot planter on Colwell Street.	501
1892	Three Rivers Brewing Company to construct a sidewalk café on a portion of the right of way at 2837 Smallman Street.	497, 560
1893	Bernard Katz to construct a parking area and fence on Milo Street in the 19th Ward.	498, 560
1894	Viggio Restaurant to construct a sidewalk café with planters at 2302 and 2304 East Carson Street in the 17th Ward.	498, 577
1895	Jake River Partners to construct a rail line crossing on Railroad Street in the 2nd Ward.	498, 560
1896	Tarasi Law Firm to construct three planters on the sidewalk area on 510 Third Avenue in the 1st Ward.	498, 560
1939	Granting unto Cassidy Pierce Company to construct a parking area on Island Avenue/	559, 590
1940	Granting unto Lynch & Associates to construct a handicap ramp with ornamental rails and two lamp posts on 2338 East Carson Street.	559
2261	ICM School of Business to construct benches and planters on Wood Street and Fort Pitt Blvd.	928
2262	Color Me Mine, to construct a sidewalk café on Walnut Street.	928

Encroachment

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2263	John Catanzaro to construct a loading platform and parking area on Smallman Street.	928
2264	Java Café, to construct a sidewalk café on South 13th Street and East Carson Street.	928
2265	County of Allegheny to construct a handicap ramp at 3441 Forbes Avenue.	928
2266	John Watero to construct an awning and planters on Ellsworth Avenue.	928
2267	Kwi-Bok Chuong and Pal-Sun Chuong to construct a handicap ramp at 2208 Arlington Avenue.	928
2268	Michael McArdle to construct an access road on Newton Street and German Square.	928
2269	Clark Bar and Grill to construct a sidewalk café on Reedsdale Street.	928
2321	Granting unto Doanld and Madeline Hoover, to construct a driveway, parking area and fence on Oakleaf Way.	1085
2322	Granting unto Roxanne Franchini to construct a garage on Wolfrom Street.	1085
2323	Granting unto Arch Court to construct concrete steps with steel handrails and four trees on Arch Street.	1085
2324	Granting unto Florence Sklar to construct a fire escape on Delray Street.	1085
2325	Granting unto Ken Falce to construct a handicap ramp on 1903 East Carson Street.	1085

Encroachment

BILL NUMBER	SUBJECT	PAGE
2326	Granting unto Pittsburgh Cultural Trust to construct a cornice and architectural trim for O'Reilly Theater.	1086
2327	Granting unto Pitt Ohio Express to construct fences and sliding access gate on 27th Street.	1086
2524	Granting unto Don Alan and Helene Joy Linzer to construct a fence on DeArmitt Way.	1243, 1292
2525	Granting unto Joseph Stafura to construct a retaining wall and a flex beam on Brosville Street.	1243, 1292
2526	Granting unto Kurt VanLehn and Michelene Chi, to construct a fence on Castleman Street.	1243, 1292

Encroachment (amending)

BILL NUMBER	SUBJECT	PAGE
2320	Amending Section 1 of Res. 548 of 1996, constructing plaques on tree grates on Penn Avenue.	1084

Encroachment (repealing)

BILL NUMBER	SUBJECT	PAGE
1659	Granting unto Edward and Cecilia Wlodowski, to construct a fence on a portion on Flynn Street in the 16th Ward.	197

Grant

BILL NUMBER	SUBJECT	PAGE
1974	Submitting a \$50,000 grant application addressing the nine mile run watershed.	586

Grant

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2038	Amending Res. 598 of 1996, filing of an application by the City of Pittsburgh with the US Dept. of Labor for a grant in connection with the Job Training Partnership Act, cost not to exceed \$4,540,998.	705
2098	Pennsylvania Department of Conservation and Natural Resources under the provisions of the PA Recreational Trails Program.	694

Historic Designation

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1351	Certain section of the East Allegheny neighborhood known as Deutschtown Historic District, 23rd Ward	110

Lease

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1677	Leasing of space from Greyhound for the purpose of establishing a Community Oriented Police mini station, at no rental cost to the City.	224
1686	Authorizing the Mayor and Director of Finance and Director of Parks execute a lease with the Spring View Athletic Association.	227
1912	Amending Res. 398 of 1994, leasing from Beechview Presbyterian Church for a COP mini-station.	526, 577
2041	Lease of property on the 5th floor of the Allegheny Building at 429 Forbes Avenue for the term of 62 months, cost not to exceed \$524,088.00.	696

Lease

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2425	Subleasing a space located at 5232 Butler Street, for a Community Oriented Police Mini Station.	1152, 1301
2619	Leasing of space at 841 California Avenue for a mini police station.	1348, 1402
2654	Urban Gardner for Three Taxing Bodies owned property.	1397
2675	Civilian Review Board enter into lease and purchase items to conduct business.	1417

Lease Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1539	Extension of lease agreement with DiNardo Limited of certain indoor/outdoor space for a term of five years, cost not to exceed \$1 per square foot annually.	35, 111
1579	Agreement with Fort Hill Development Company, the City shall assume the cost of utilities, cost not to exceed \$85.00 per month.	89, 137
1601	Space located at 2129 Brownsville Road with the Housing Authority to establish a Community Oriented Police mini station effective 3-1-97.	124, 169
2170	Lease of space with 564 Forbes Associates in the Manor Building for a term of one year.	885

License

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2419	Granting a license to Columbia Gas of PA in install a regulator station, at the intersection of Arabella and Suncrest Street.	1152

License Agreement

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1649	Agreement for certain property for Senior Citizen Facilities.	194
2561	Duquesne Light to relocate one pole from the legal right of way on Chartiers Avenue to the City.	1287

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1503	Redevelopment proposal for redevelopment activities in a portion of Redevelopment Area No. 39-North Shore(22nd and 23rd Ward)	7, 168
1514	Amending Resolution No. 760 to change the Ordinance number and date the City of Pgh acquired the property which currently reads Ordinance No. 55, March 25, 1926 to correctly read Ordinance No. 74, February 13, 1925.	9, 38
1540	Filing of a Community Development Statement by the City with the U.S. Dept. of HUD for a grant in connection with the 1997 CDBG Program.	35
1562	Directing the City of Pittsburgh to submit grant applications and to execute relevant agreements with the PA Dept. of Conservation and Natural Resources.	129
1563	Directing the Director of Public Safety to provide City Council information on school crossing guard.	111
1590	Designating Banks and Lending Institutions to act as Depositories for the year 1997.	92, 167

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1629	Application to the Pa. Dept. of Community and Economic Development for Emergency Shelter Grant Program for 1997.	162
1634	Filing of a community development statement by the City with HUD for a grant in connection with the 1997 CDBG Program.	164
1661	Mayor to initiate and operate the City of Pittsburgh Economic Development Marketing Fund.	197
1679	Filing of an application by the City with the United States Dept. of Housing and Urban Development for a grant in connection with Referral of Housing Discrimination charges and providing for the funds to be deposited in a bank account.	225
1684	Providing for the use of \$120,000.00 in the Wall, Step and Fence Program.	226
1827	Authorizing the URA to acquire all of the City's right, title and interest to Block 84A lot 271 in the East Liberty Redevelopment Area.	503
1828	Authorizing the URA to acquire all of the City's right, title and interest to the publicly owned property designated as Block 15K, Lot 240 in the 18th Ward, rental housing development improvement program.	503
1829	Directing the City Solicitor to provide to the City Clerk a written report detailing the actions of the law dept. in regards to 2132 East Carson Street.	499

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1830	Directing the City magistrate to provide a written report to the City Clerk in regards to 2132 East Carson Street.	499
1831	Directing the Chief of BBI to provide a written report to the City Clerk in regards to property at 2132 East Carson Street.	508
1857	Amending Res. 149 of 1994, providing for the filing of a Community Development Statement by the City with the US Dept. of HUD for a grant.	503
1858	Amending Bill No. 1375 of 1996, providing for the filing of a Community Development Statement by the City with the UA Dept. of HUD.	503
1859	City Council declaring its official intent to issue in the future tax exempt obligations a portion of the proceeds which will be used by the City to reimburse itself for certain capital expenditures.	499, 528
1883	Amending Res. 29 of 97 providing for the filing of a community development statement.	496, 562
1891	Amending Res. 634 of 1994, authorizing Public Works to sell reclaimed asphalt presently stored at Heth's Run, the amendment is to increase the cost of asphalt.	497, 590
1914	Directing the City Controller to deposit monies from the Dept. of Housing and Urban Development into the HOPWA Trust Fund.	527

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1914	Directing the City Controller to depsoit monies from the Dept. of Housing and Urban Redevelopment into the HOPWA trust fund.	496, 563
1953	Providing for the adoption of the recommended decisions and orders of the Director of the Dept. of General Services pertaining to the rate filings of TCI of PA.	574
1960	Carrying over balances thereof remaining in certain code accounts for the year 1996 to the same or to other code accounts for the year 1997.	575, 588
2096	Changing the name of Baseball Field No. 4 on Brighton Woods Road to the Frank Catarall Field.	891
2197	Dedicating a memorial plaque in Herschel playground honoring Mary Lou Daniels.	891
2257	Changing the name of Ravenna Street to Ellsworth Avenue.	927
2296	Creating a special trust fund entitled Underage Drinking Fund.	964, 1050
2351	Directing the Cable Advisory Committee to elect a franchise renewal representative.	1043
2352	Amending Res. 503 of 1997 so as to transfer \$350,000 from the Dept. of Parks to the Housing Auth.	1043, 1161
2355	File an application with the Environmental Protection Agency for \$350,000.	1044, 1162,1167
2360	Director of Engineering and Construction to petition Penn Dot to remove parking signs on Forbes Avenue.	1045, 1089

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2361	Changing the name of Eight Street between Liberty and Penn Avenue to Tito Way.	1045, 1160
2368	Finance Director and City Solicitor to review all Abraxis/Cornell Corrections real estate taxes.	1061
2381	Amending Res. 228 of 1993 so as to transfer a line item in the Dept. of Engineering and Construction.	1079, 1197
2382	Amending Res. 149 of 1994, transferring a project from the Dept. of Engineering and Construction.	1080, 1197
2383	Amending Res. 377 of 1995, so as to decrease a line item in Council.	1080, 1197
2389	Amending the Pgh Code, Title Nine, Zoning, by revising the code in its entirety.	1081
2443	Amending Res. 151 of 1997, providing for acquisition from CSX Transportation for park purposes.	1248
2456	Authorizing the incurring of nondebt debt for the purpose of providing funds to be applied toward certain capital projects.	1180, 1338
2507	Amending Res. 875 of 1991 by changing a line item in the Dept. of Public Works (from Picket Fence Program to Graffiti Removal Program).	1239, 1300
2508	Amending Res. 1420 of 1980, so as to reprogram funds in the Dept. of Public Works (from Picket Fence Program to Graffiti Removal Program).	1240, 1300

Miscellaneous

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2509	Amending Res. 167 of 1983, so as to reprogram funds in the Public Works Department (from Picket Fence Program to Graffit Removal Program).	1240, 1300
2510	Amending Res. 1181 of 1986 so as to reprogram funds in the Department of Public Works (from Picket Fence Program to Graffiti Removal Program).	1240, 1301
2511	Amending Res. Nos. 507, 706, 956, 1148 and 1221 of 1991, so as to reprogram funds in the Department of Public Works (from Picket Fence Program to Grafitti Removal Program).	1240, 1301
2517	Creating a fund to be designated as the Nine Mile Run Rivers Conservation Plan.	1241, 1295
2562	Verification to the Dept. of Conservation and Natural Resources that the work authorized has been completed.	1287, 1384
2569	Transfer of funds from the Homicide Trust Fund to the General Fund for reimbursement of expenses and salaries, not to exceed \$129,675.	1287, 1351
2592	Designating Chartiers Nature Conservancy as a Rivers Supprot Group.	1319, 1354
2631	Establishing an all day rental rate and a four hour minimum rental rate for the Schenley Pakr Skating Rink.	1363
2672	Dedicating a portion of Unnamed Way between Norwhich Ave and Dorchester Way.	1416

Motion

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Cohen, Dan	Motion to recommit Bill Nos. 1833 and 1834.	502
Cusick, Joe	Motion to have a post agenda on Route 51 on March 4th at 6:30 p.m.	202
Cusick, Joe	Motion to recommit Bill No. 2041.	704
Ferlo, Jim	Motion to cable cast a public hearing on accessibility of City Council Chambers on May 15th.	530
Ferlo, Jim	Motion to recess the meeting 5-13-97 until 5-18-97.	572
Ferlo, Jim	Motion to recommit Bill No. 1871.	569
Hertzberg, Alan	Motion to suspend Rule 8 on Bill No. 1601.	124
Hertzberg, Alan	Motion to waive Rule 8 on Bill No. 1953.	574
Hertzberg, Alan	Motion to Waive Rule 8 on Bill No. 1650.	195
Hertzberg, Alan	Motion to suspend Rule 8 on Bill No. 1520.	20
McDonald, Valerie	Motioned to reappoint Mr. Roddy.	24
O'Connor, Bob	Motion to televise post agenda with the Controller concerning EMS billing.	14
Onorato, Dan	Motion to waive rule 8 on Bill No. 1959.	575
Riccairdi, Gene	Motion to amend Bill No. 1564.	96
Ricciardi, Gene	Motion to receive and file bills regarding Residential Sticker Parking.	164
Ricciardi, Gene	Motion to recommit Bill 1878 and Bill 1879.	564
Ricciardi, Gene	Moved to receive the communication from Eloise Hirsh.	498

Motion

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Udin, Sala	Motion to waive rule 8 on Bill No. 1960.	575
Udin, Sala	Motion to recommit Bill 1878.	975
Udin, Sala	Motion to hold a televised post agenda on telecommunications.	14
Udin, Sala	Motion to recommit Bill No. 1859	500

Petition

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1531	Providing for the filing of a petition for the sale of property acquired at tax sales to include adjoining property located at 815 Concord Street, 23rd ward.	22, 78
1532	Providing for the filing of a petition for the sale of property acquired at tax sales.	22, 78
1570	Providing for the filing of a petition for the sale of certain property(ies) acquired at tax sales.	127
1665	Providing for the filing of a petition for the sale of properties acquired at tax sales.	198
1916	Petition for the sale of certain property acquired at tax sales, Second Class City Treasurer Sale.	527, 576
2110	Filing of a petition for the sale if certain property in accordance with Act No. 171 of 1984.	696
2235	Sale of certain properties acquired at tax sales.	881
2258	Filing of a petition of certain property acquired at tax sales.	927
2284	Filing of a petition of certain properties acquired at tax sale.	930

Petition

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2297	Filing of a petition for the sale of certain property acquired at tax sales.	964, 1050
2423	Filing of a petition for the sale of certain property acquired at tax sales.	1152
2528	Filing of a petition for the sale of certain property.	1243, 1289
2657	Sale of certain properties acquired at tax sales.	1397

Pledgee

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Bell, Ashley	Leading Council's meeting of May 13, 1997.	537
Cusick, Katie & Joh	Leading Council's meeting of December 9, 1997.	1389
David Jones	Leading Council's meeting of September 8, 1997.	948
Fitzgerald, Eerin	Leading Council's meeting of February 25, 1997.	179
Hertzberg, Kara	Leading Council's meeting of August 4, 1997.	878
Irwin-Williams, Chr	Leading Council's meeting of September 30, 1997.	1065
Kasaroski, Heather	Leading Council's meeting of May 19, 1997.	573
Knight, Ashley	Leading Council's meeting of November 18, 1997.	1305
Kust, Veronica	Leading Council's meeting of November 24, 1997.	1340
Miller, Paul	Leading Council's meeting of May 27, 1997.	580

Pledgee

<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
Moser, Vikki	Leading Council's meeting of September 23, 1997.	1031
Muehlbuer, Walter	Leading Council's meeting of January 21, 1997.	31
Nard, Rachel	Leading Council's meeting of October 7, 1997.	1125
Nina and Frankie	Leading Council's meeting of September 2, 1997.	921
Noel, Timika & Tyc	Leading Council's meeting of May 6, 1997.	513
Overbrook School	Leading Council's meeting of October 14, 1997.	1169
Pawlak, Jacob	Leading Council's meeting of October 21, 1997.	1201
Pluff, Christa	Leading Councils meeting of February 4, 1997.	88
Ridgers, Alexis & B	Leading Council's meeting of December 16, 1997.	1408
Schweiger, Christop	Leading Council's meeting of February 18, 1997.	149
Skoz, Danielle & A	Leading Councils meeting of January 14, 1997.	15
Smith, Dana	Leading Council's meeting of February 11, 1997.	115
Wadley, Leshay	Leading Council's meeting of March 4, 1997.	214

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1517	Cohen, Dan	Congratulating Rabbi Yisroel and Blumi Rosenfeld for their outstanding years of service to Yeshiva Schools and the community.	16

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1535	Cohen, Dan	Declaring January 21, 1997 to be Joedda Sampson Day in the City of Pittsburgh.	33
1552	Cohen, Dan	Declaring January 28, 1997 to be "Kurt Kondrich Day" in the City of Pittsburgh.	51
1642	Cohen, Dan	Thanking Drs. Ellen and Loren Roth for their exemplary leadership of the Jewish community and the City of Pittsburgh.	180
1907	Cohen, Dan	Urging the Commonwealth of PA to adopt legislation calling for trigger lock controls with the sale of all handguns.	517
1922	Cohen, Dan	Declaring May 13, 1997 to be Madeline Elish Day in the City.	538
1923	Cohen, Dan	Recognize and commend the good work of Pittsburgh Cares and wishes it much success on the second annual Servathon.	540
2239	Cohen, Dan	Commending Ruth and Lester Zittrain.	1032
2285	Cohen, Dan	Congratulating Chatham College, Doshisha Women's College for convening the year of Japan.	949
2286	Cohen, Dan	Declaring the weekend of September 12, 1997 to be Steel Party/Persad Center weekend.	950
2287	Cohen, Dan	Commending the organizers of the Underage Drinking Project.	951
2340	Cohen, Dan	Declaring September 23, 1997 as National Philanthropy Day.	1032
2372	Cohen, Dan	Commending Mercy Hospital.	1066
2373	Cohen, Dan	Declaring the week of October 5-11 1997 to be Fire Prevention Week.	1069

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2374	Cohen, Dan	Recognizing the efforts of the American Diabetes Association and the Podiatry Hospital.	1072
2402	Cohen, Dan	Declaring its support for the construction of the Mon-Fayette Expressway.	1154
2433	Cohen, Dan	Declaring October 18, 1997 as Silent Witness Initiative Day.	1170
2464	Cohen, Dan	Declaring October 25, 1997 to be Project Bundle up Day.	1202
2465	Cohen, Dan	Remembering the career of General Matthew B. Ridgway.	1203
2466	Cohen, Dan	Declaring October 21, 1997 as Pittsburgh Police Bureau Volunteer Day.	1205
2579	Cohen, Dan	Asking TCI to offer "a la carte" programming.	1306
2611	Cohen, Dan	Declaring November 29, 1997 as Mildred Oppenheimer Day.	1342
2641	Cohen, Dan	Declaring December 13, 1997 as Violent Toy Trade in Day.	1390
2683	Cohen, Dan	Declaring December 22, 1997 as Richard Muzzy Meyers Day.	1457
1924	Cusick, Joe	Declaring May 13, 1997 as Senior Interest Day in the City of Pittsburgh.	543
1952	Cusick, Joe	Honoring Ms. Lynne Layne and thanking her for her tireless service to the City of Pittsburgh.	574
2434	Cusick, Joe	Commending the Pgh Senior Interest Athletes for their outstanding performance.	1171

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1557	Ferlo, Jim	Declaring February 2, 1997 to be Pittsburgh Theatrical Assembly Local #3, Senior Journeyman Day in the City of Pittsburgh.	62
2255	Ferlo, Jim	Declaring September 7, 1997 to be American Heart Walk Day.	925
2410	Ferlo, Jim	Commending various organizations for their hard work and commitment to the youth of Lawrenceville.	1136
2411	Ferlo, Jim	Directing the Clerk to transmit copies of this Resolution regarding the PUC to the Governor.	1141
2439	Ferlo, Jim	Commending Morningside School for providing 100 years of quality education to the children of Morningside.	1176
2504	Ferlo, Jim	Proclaiming October 31, 1997 to be Fair Shake Marketplace Day.	1238
2616	Ferlo, Jim	Commending all of the students who participated in the 1997 World Peace Contest for their efforts.	1346
2644	Ferlo, Jim	Supporting the efforts of the Paul Robeson Centennial Celebration.	1395
2682	Ferlo, Jim	Thanking the volunteers for their support in the Project Safe Summer 97.	1452
1518	Hertzberg, Alan	Proclaiming Janaury 1997 as "Financial Literacy for Youth Month" in the City.	16

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1577	Hertzberg, Alan	Council of the City of Pittsburgh opposes the sale of PA Retail Liquor Stores and directing the City Clerk to send copies of this Resolution to the Govenor, Mayor, Pgh Aud. Auth., Greater Pgh Convention and Visitor's Bureau.	83
1643	Hertzberg, Alan	Declaring Wednesday February 19th, Officer James Wehner Day in the City of Pittsburgh.	181
1669	Hertzberg, Alan	Congratulating Eagle Scout Robert Chubarov.	215
1670	Hertzberg, Alan	Commending Sheraden Homework and Computer Center's Board of Directors and program.	215
1910	Hertzberg, Alan	Congratulating Eagle Scout Joshua Helterbran.	522
2251	Hertzberg, Alan	Congratulating Eagle Scout Daniel Bogus.	922
2341	Hertzberg, Alan	Congratulating Lou Bucci for being acknowledged as Restaurateur of the Year.	1033
2376	Hertzberg, Alan	Congratulating Eagle Scout Stephen Tancraitor.	1077
2403	Hertzberg, Alan	Congratulating Ed Henke for receiving the Milken Family Foundation Grant.	1126
2497	Hertzberg, Alan	Congratulating Eagle Scout John Gallagher.	1230
2551	Hertzberg, Alan	Congratulating the White Lily Baptist Church on nreaking ground.	1280
2580	Hertzberg, Alan	Commending the Dept. of General Services for the work on Councils public podium..	1307

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2610	Hertzberg, Alan	Declaring November 30, 1997 as Saint Mary of the Mount Day.	1341
2612	Hertzberg, Alan	Declaring November 22, 1997 as Commander David K. McMullin Day.	1342
2684	Hertzberg, Alan	Declaring December 28, 1997 as Saint Mary of the Mount Day.	1460
2585	Hetzberg, Alan	Congratulating Eagle Scout Eli Thomas.	1316
1553	McDonald, Valerie	Commending the SisterReach Advisory Council of the American Cancer Society for its outstanding effort in bringing knowledge to women within the African American community and all of Pittsburgh.	55
1598	McDonald, Valerie	Commending Homewood Art Museum, and honoring the Tuskegee Airmen and the 92nd (Buffalo) Division for their selfless courage while defending our nation.	116
1620	McDonald, Valerie	Honoring African American jazz musicians of the past and present.	151
1621	McDonald, Valerie	Joining the Program to Aid Citizenship Enterprise as it commemorates the Immaculate Reception of Franco Harris.	155
1622	McDonald, Valerie	Commending the Black Women's Political Crusade.	155
1671	McDonald, Valerie	Commending Big Brothers and Big Sisters of Greater Pittsburgh.	216
1672	McDonald, Valerie	Commending Youth Build Pittsburgh Inc for their hard work.	217
1906	McDonald, Valerie	Declaring Sunday, May 11 1997, to be Miss Black Teenage Day in the City of Pittsburgh.	514

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1908	McDonald, Valerie	Wishing the cast and crew of Fake Friends and Marvelous Entertainment to break a leg.	521
1925	McDonald, Valerie	Commending NEED for its continued dedication to enabling students to obtain a college education.	546
1926	McDonald, Valerie	Commending Ms. Audrey Glenn-Woods on her continued activism on behalf of the community.	546
2252	McDonald, Valerie	Declaring August 15, 1997 as Tomorrow's Future Day.	923
2288	McDonald, Valerie	Declares September 10, 1997 as Robert O. Agbede/Advaced Technology Systems, Inc. Day.	954
2289	McDonald, Valerie	Congratulating Abraham Grand Lodge and Princess Ghana Grand.	957
2342	McDonald, Valerie	Recognizing Housing Week Coalition.	1034
2343	McDonald, Valerie	Commends the Sickle Cell Society.	1038
2404	McDonald, Valerie	Recognizing the Pgh Cultural Trust for their contributions to Pittsburgh.	1127
2435	McDonald, Valerie	Commending the Alumnae Association of Mercy Douglass for continuing to educate African American participants in the health care field.	1173
2436	McDonald, Valerie	Commending Mt. Ararat Baptist Church on its 91st anniversary.	1173
2552	McDonald, Valerie	Commending dr. Frances Barnes for spreading the joy of love to the communities.	1280
2582	McDonald, Valerie	Congratulating Eugene Lesesne on his 100th Birthday.	1312

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1619	O'Connor, Bob	Proclaiming Friday, February 21, 1997 as "Sandra Verbish Day".	150
1644	O'Connor, Bob	Against the privatization of the Kane Regional Centers.	184
1645	O'Connor, Bob	Designating the week of February 23-28th as Week of the Jewish Woman.	189
1927	O'Connor, Bob	Commending MADD and RPS for sponsoring this worthwhile project.	547
1928	O'Connor, Bob	Recognizing the week of may 11-May 17th 1997 as "Police Memorial Week" in the City.	550
1929	O'Connor, Bob	Thanking Sophie Masloff for her years of dedication to the people of Pittsburgh.	552
1930	O'Connor, Bob	Declaring May 27 1997 as Celebration of Cultures at Colfax School Day in the City.	553
2290	O'Connor, Bob	Declaring the week of September 8, 1997-September 14, 1997 to be Adult Literacy Week.	958
2344	O'Connor, Bob	Encouraging the LTV Steel Company to recognize its obligations to its employees.	1039
2377	O'Connor, Bob	Declaring September 25, 1997 as Gateway Rehabilitation Center Day.	1078
2406	O'Connor, Bob	Proclaiming October 10, 1997 as Sons of Columbus Day.	1132
2408	O'Connor, Bob	Declaring October 7, 1997 to be Jason Thornton Day.	1134
2498	O'Connor, Bob	Commending MADD and RPS for sponsoring this worthwhile project.	1230
2499	O'Connor, Bob	Declaring October 30, 1997 to be Bob Nelkin Day.	1232

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2553	O'Connor, Bob	Declaring November 16th 1997 to be Jewish Sports Hall of Fame of Western PA".	1282
2554	O'Connor, Bob	Commending the Council for International Visitors.	1284
2555	O'Connor, Bob	Congratulating Meryl Ainsman and Dan Frankel for service to the Jewish Community.	1286
2587	O'Connor, Bob	Declaring November 23, 1997 to be Richard Thomas Ernsberger Day.	1317
2613	O'Connor, Bob	Declaring November 22, 1997 as Greenfield Day.	1343
2627	O'Connor, Bob	Declaring December 2, 1997 as Reverend Bertha Veney Day.	1361
2628	O'Connor, Bob	Declaring December 2, 1997 to be Wesley Kerlin Day.	1361
2664	O'Connor, Bob	Declaring December 31, 1997 as The University of Pgh Panther Day.	1410
2665	O'Connor, Bob	Declaring December 14 - 20, 1997 as Project Blue Light Week.	1414
1554	Onorato, Dan	Commending those responsible for making the Catholic Schools of the Diocese of Pittsburgh a success.	59
1555	Onorato, Dan	Declaring Thursday, January 30, 1997 to be Mary Jane Halligan McGrath Day in the City of Pittsburgh.	61
1578	Onorato, Dan	Commending Todd Richard Lewis for his hard work as a Boy Scout.	93
1599	Onorato, Dan	Commending Mrs. Sarah White for her volunteer work in the Manchester community.	121
1600	Onorato, Dan	Declaring February 8, 1997 as Dave Wilson Day in the City of Pittsburgh.	122

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1623	Onorato, Dan	Congratulating the officers and volunteers of Northview Heights Citizen Council.	156
1646	Onorato, Dan	Commending Cara Fulton as part of the Perry Traditional Academy's student body and for her community work.	191
1647	Onorato, Dan	Commending Nicole Leary for her participation as part of Perry Traditional Academy's student body and her community work.	191
1648	Onorato, Dan	Commending Elly Davis for his years of service in the Troy Hill Federal Savings Bank.	193
1673	Onorato, Dan	Commending Mr. Michael Spudich for his years of service to the Boy Scouts.	218
1911	Onorato, Dan	Commending Earl Jones, Sr. and the Peace On Earth Campaign.	523
1931	Onorato, Dan	Congratulating the Northside Chamber of Commerce on its 100th Anniversary.	554
1969	Onorato, Dan	Recognizing and commending all those who worked so hard to make the second annual Fineview Step-A-Thon a success.	582
2253	Onorato, Dan	Declaring August 29, 1997 as Signal Air Warning Day.	923
2254	Onorato, Dan	Commending the 1997 Pgh Italian Scholarship Awardees.	924
2291	Onorato, Dan	Declaring September 9, 1997 as Charles ieberth Day.	961
2292	Onorato, Dan	Congratulating the Old Allegheny/Springview 12 and under Citiparks Deck Hockey Team.	963

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2405	Onorato, Dan	Congratulating the 1997 Pittsburgh Columbus Day Parade and Festival Committee.	1130
2407	Onorato, Dan	Declaring October 5, 1997 as German American Day.	1133
2437	Onorato, Dan	Congratulating Helen Bonneau, for all of her contributions to the Northview Heights community.	1174
2438	Onorato, Dan	Congratulating Sister Mary Damian for selflessly helping th seniors of the North Side.	1175
2500	Onorato, Dan	Acknowledging the National Center for Family Literacy and Toyota for sponsoring National Family Literacy Day.	1234
2501	Onorato, Dan	Commending Dru Imler and Eric Kukura for their outgoing commitment on Pittsburgh's North Side.	1235
2502	Onorato, Dan	Congratulating the Brighton-McClure Presbyterian Church on their anniversary.	1235
2550	Onorato, Dan	Commending John Tobias for his support of the Pgh Steelers.	1278
2581	Onorato, Dan	Congratulating the students of John Morrow School.	1311
2584	Onorato, Dan	Declaring the month of November to be Leave a Legacy Month.	1315
2586	Onorato, Dan	Commending District Attorney Colville for his 35 years of public service.	1317
2685	Onorato, Dan	Declaring December 23, 1997 as Franco Harris Day.	1461

Read and Adopted

<i>BILL</i>			
<i>NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1556	Ricciardi, Gene	Declaring January 19, 1997 to be Donald Bud Prosser Day in the City of Pittsburgh.	62
1625	Ricciardi, Gene	Proclaiming February 18, 1997 as both "Officer Robert Stowman Day" and "Officer Edward Trapp Day".	160
2583	Ricciardi, Gene	Declaring November 21, 1997 as \$1 Energy Fund Day.	1314
2614	Ricciardi, Gene	Calling on the Governor to keep the Allegheny County Board of Assistance South Side Office open.	1345
1278	Udin, Sala	Declaring September 28, 1997 as Mattress Factory Day in the City.	1078
1519	Udin, Sala	Recognizing the efforts of Operation Safety Net and thanking Dr. Withers for his work with the homeless.	17
1624	Udin, Sala	Commending Project Concern Youth Dance Company.	158
1674	Udin, Sala	Congratulating Mrs. Lovette on her 80th birthday.	219
1675	Udin, Sala	Commending the 1997 Black Trailblazers and WPXI Lift Up Awards, and the Renaissance Publications for the achievements of African Americans within the City.	221
1932	Udin, Sala	Declaring May 19, 1997 as Justice for Beverly Workers Day in the City.	556
1970	Udin, Sala	Commending Fit NB Free for its 10 years of outstanding accomplishments and invaluable support in the community.	583

Read and Adopted

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1971	Udin, Sala	Saluting the National Conference. on Peacemaking and Conflict resolution and supports the principles of peace and diversity.	584
2345	Udin, Sala	Congratulating Pilgrim Baptist Church for 71 years of service.	1040
2346	Udin, Sala	Congratulating Carlow College Women of Spirit.	1041
2375	Udin, Sala	Commending the Housing Authority for 60 years of outstanding community service.	1074
2409	Udin, Sala	Commending Mr. Dave Bing for his activism on behalf of African American business communities.	1135
2503	Udin, Sala	Joining the Courier Paper in honoring Rod Doss for his 30 years of service.	1236
2615	Udin, Sala	Congratulating the National Black Programming Consortium.	1346
2629	Udin, Sala	Commending Buena Vista United Methodist Church.	1362
2642	Udin, Sala	Recognizing the Make a Wish Foundation.	1393
2643	Udin, Sala	Commending the Carnegie Science Center, Vann Elementary School in honoring African American Heritage.	1394

Reappointment

<i>BILL NUMBER</i>	<i>SPEAKER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1688		Reappointing Louis Coles as a member of the City of Pittsburgh Magistrates Court for a term to expire December 31, 2000.	227

Residential Parking Permit

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1530	Amending Resolution No. 636, providing for implementation of a residential parking permit program in the Allegheny West community so as to expand the streets included in the existing Allegheny West RPPP Area "G".	22, 79
1630	Implementation of a Residential Parking Permit Program in Squirrel Hill, North Community, Council District 8.	163
2102	Amending Res. 74 of 1995, amending the streets included in area W in the Crawford Roberts Community.	695
2544	Amending Res. 934 of 1992, residential parking permit program area "T".	1373
2621	RPPP in Area "I" in the Garfield Community.	1349, 1399

Right-of-Entry

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1435	Maintenance agreement with Pittsburgh Thermal Limited Partnership and granting the Partnership a license. (clemente park)	138
1658	Roman Catholic Congregation of Prince of Peace Parish for the expansion of Volunteers Baseball Field, for the cost of \$1.00.	196

Sale of Property

BILL NUMBER	SUBJECT	PAGE
2096	Soliciting proposals for the purchase and development of certain parcels at 344 Boulevard of the Allies for commercial or residential housing, at a cost not to exceed \$100,000..	694, 884
2215	Repealing resolutions approved on various dates authorizing the sale of properties in various wards of the City.	880
2422	Authorizing the sale of property at 1732 Antietam Street to Joan Martin for the sum of \$100.00.	1152

Sale of Property (acceptance)

BILL NUMBER	SUBJECT	PAGE
2530	Acceptance by the City of 9 Trent Street.	1243, 1290

Sale of Property (amending)

BILL NUMBER	SUBJECT	PAGE
1662	Amending Res. 880, authorizing the sale of a vacant lot located at 108-1/2 Wabash Ave to Michael and Lucille Locke for \$350.00.	197
2283	Amending Res. 209, Item I of 1997, by changing correcting the date the property was acquired by Treasurer Sale.	930

Sale of Property (conveyance)

BILL NUMBER	SUBJECT	PAGE
1515	Providing for the conveyance by the City of Pgh of certain property under Act No. 171 of 1984.	9

Sale of Property (conveyance)

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1546	Providing for the conveyance of certain property, Second Class City Treasurer Sale and Collection Act.	37, 95
1663	Certain property having been placed for sale in conjunction with the City of Pittsburgh City Source Associates sideyard Program.	198
1664	Certain properties located at 687 Margaret Street, 33rd Ward, and 340 Marshall Avenue, 26th Ward.	198
1944	Conveyance by the City of certain property under Act 171 of 1984, Second Class City Treasure Act.	559, 588
2109	Conveyance of certain property under Act No. 171 of 1984 with the City of Pittsburgh/City Source Associates Sideyard Program.	696
2216	Conveyance of certain property under Act 17 1984.	880
2298	Conveyance of certain property under Act No. 171 of 1984.	964, 1050
2421	Conveyance of certain property under the City Treasurer Sale and Collection Act.	1152
2457	Conveyance of certain property under Act No. 171 of 1984.	1245
2457	Conveyance by the City of certain property under Treasurer Sale.	1180
2527	Conveyance of certain property under Act No. 171 of 1984.	1243, 1288
2656	Second Class City Treasurer Sale and Collection Act.	1397

Sale of Property (Quit Claim Deed)

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2529	Issue a quit claim deed for property given to the PA Dept. of Transportation for right of way and channel easement at Library Road.	1243, 1290
2655	Property in the 28th Ward, 1252 Idlewood Road.	1397

Sale of Property (repealing)

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1569	Repealing forfeiting Res. No. 822 effective 11-1-9 item I, and reinstating Res. 422 item c effective 6-17-96, authorizing the sale of a two story brick house, 507 Lincoln Avenue.	127

Sale of Property Repealing

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2107	Repealing forfeiting Res. 882 of 1996, Item G, property known as 4812 Rosetta Street.	696
2108	Repealing Resolutions approved on various dates authorizing the sale of properties.	696

Sewage Facilities Plan

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1936	Adopting official sewage facility plan for LTB Southside Works.	558, 593

Transfer

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1520	Transferring \$7,000.00 from Code Account 1001-2, Salaries and Wages, As needed, City Council to Code Account 1001-1, Miscellaneous Services, City Council, budget year 1997.	20, 38
1536	Transferring funds from EMS Trust Fund for wages for EMS paramedics, crew chiefs and supervisors.	34, 95
1567	Transferring \$25,000 from Real Estate to Refunds Fund within the Dept. of Finance.	126
1986	Transfer of \$170,000 from Code Account 51 Departmental Postage, to Code Account 46, Judgements.	587
2097	Transferring \$12,000 from Salaries and Wages, City Council, to pay expenses relative to City Council District 9.	694
2208	Transferring \$197,000 within the Dept. of Public Works.	879
2212	Transferring \$100,000 within the Dept. of Law.	879
2233	Transferring \$75,000 within the Dept. of Law.	880
2294	Transferring \$250,000 within the Dept. of Public Works.	963, 1050
2348	Transferring \$400,000 from SSFSP to Health/life Insurance-Municipal.	1042, 1157
2349	Transferring \$120,000 from SSFSP to Code Senior Citizens Program.	1043, 1157
2358	Transferring \$500 from Rent Equipment to Supplies-Traffic.	1045, 1157

Transfer

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>	
2364	Transferring \$1,167,800 from various accounts within Law and Finance Departments.	1046, 1158,1167	
2390	Transferring \$5,000 from Implement Competitive Pittsburgh to Economic Development Marketing.	1081, 1195	
2413	Transferring \$53,500 from BBITF to Demolition Trust Fund, within the Dept. of Public Safety, Bureau of Building Inspection.	1151	
2414	Transferring \$90,000 from Automotive Part to Miscellaneous Services, within the Dept. of General Services.	1151	
2414	Transferring \$90,000, Automotive Parts, Miscellaneous Services, Dept. of General Services.	1244	\$10,000
2442	Transferring \$3,276.58 from Swimming Pools Maintenance Trust Fund to the Public Safety Police School Guards.	1245	
2442	Transferring \$3,276.58 from Swimming Pools Maintenance Trust Fund to the Public Safety Police School Guards.	1177	
2454	Transferring \$20,000 from Salaries-Regular Employees to Education and Training, within Dept. of Finance.	1245	
2454	Transferring \$20,000 rom Salaries/Regular Employees to Premium Pay, within the Dept. of Finance.	1179	
2521	Transferring \$3,000 from Misc. Services to Materials, within Public Works.	1242	

Transfer

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2556	Transferring \$122,199.00 from various Public Safety accounts to the YCPC/Mayor's Youth Initiative.	1286, 1350
2563	Transferring \$30,130.00 from Magistrates Court to Salaries, Dept. of Law.	1287, 1350
2588	Transferring \$20,000 from Auto Theft Fund to Miscellaneous Service, Dept. of General Services.	1318
2589	Transferring \$992,367 from the General Fund to the Local Law Enforcement Trust Fund.	1318, 1365
2591	Transferring \$2,800 from Salaries and Wages to Miscellaneous, City Council.	1319, 1352
2629	Transferring \$25,567.75 from Special Parks Programs Trust Fund to Swimming Pools Maintenance.	1363, 1399
2635	Transferring \$125,000 from various code accounts in the Dept. of Finance.	1364, 1417
2645	Transferring \$8,000 from various EMS Accounts.	1396, 1418
2646	Transferring \$250,000 from EMS reimbursed events trust fund to the EMS Trust Fund.	1396, 1418
2647	Transferring \$10,800 from various EMS accounts.	1396, 1418
2648	Transferring \$5,000 from EMS's Misc. Service to supply account.	1396, 1418
2674	Transferring \$74,000 from various Code Accounts, within the Controller's office.	1416

Trust Fund

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2559	Creating the 911 Emergency Telephone Act Trust Fund.	1286, 1383
2560	Creating a Local Law Enforcement Trust Fund.	1286, 1383
2571	Creating a trust fund as the Homicide Trust Fund.	1288, 1352

URA

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1504	Authorizing the URA to acquire the City's right, title and interest to publicly owned property in the 21st ward of the City--Hope IV	7, 41
1560	Expending an amount not to exceed \$125,000 from the Industrial Land Reserve Fund to convert vacated North Canal Street to a parking lot.	136
1824	Authorizing the URA to expend an amount not to exceed \$140,000 for the industrial land reserve for environmental remediation work at the former LECTROMELT site.	502
1934	Authorizing the URA to acquire property in the 11th ward as block and lot 83 N 124.	558, 591
2237	Pursuing a tax incremental financing proposal for North Oakland.	883
2356	Submitting an application for financial assistance in the amount of \$3,115,000.	1044, 1162, 1168
2444	Between the URA and Crawford Square Apartments.	1177
2445	Between the URA and Manchester Citizens Corporation for the sale of certain properties in the 21st ward.	1177

URA

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
2446	Between the URA and Manchester Housing Partnership for the sale of certain properties.	1178
2447	Between the URA and Manchester Housing Partnership for the sale of certain properties in Redevelopment Area 27.	1178
2448	Between the URA and Jerome Williams for the sale of 1120 Herron Avenue.	1178
2540	Acquire the City's right, title and interest for property known as 49 Bailey Avenue.	1330
2541	Execution of contract for sale of property by the URA and Kirk Development Company.	1330
2634	Acquire all of the City's right, title and interest for publicly owned property.	1364

Vacation

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>
1584	Vacating a portion of Norton Street between Natchez Street in the 19th Ward, 2nd Council District.	91, 128
1839	Vacating a portion of Unnamed Way from Pineridge Street to its easterly side.	501
1840	Vacating a portion of Pernod Street between Federal Street and Reddour Street, Unnamed Way off Reddour Street to its dead end and Unnamed Way off Eloise Street to its dead end.	501
1897	Vacating a portion of Shaw Avenue between Beechwood Blvd. and Shaw Avenue in the 14th Ward.	498

Vacation

BILL NUMBER	SUBJECT	PAGE
1984	Vacating a portion of Cervin Way, 50 feet wide between Sherwood Avenue and Thornton Street.	586
2105	Vacating a portion of Clark Way between Heldman Street and Roberts Street and Unnamed Way from Heldman Street.	695
2270	Vacating Unnamed Way between Sandusky Street and Shears Way.	929, 1084

Warrant

BILL NUMBER	SUBJECT	PAGE	AMOUNT
1513	Warrant in the amount of \$1,383.00 in favor of Elodia Di Benedicts for property damage due to sewer back up.	9, 38	\$1,383.00
1573	In favor of Lexis-Nexis in payment for computer user research services for City Council as a cost not to exceed \$1,382.08.	69, 96	\$1,382.08
1587	Martin Coyne, in the amount of \$1,249.94 for an accident involving a City EMS truck.	91, 127	\$1,249.94
1588	Paul and Cynthia Rosenberg in the amount of \$940.00 for an accident involving a City vehicle.	92, 167	\$940.00
1589	Thrifty Car Rental Systems in the amount of \$1,403.18 for claim for City rental vehicle returned damaged.	92, 167	\$1,403.18
1602	Warrant in the amount of \$1,539.51 in favor of the Mattress Factory Museum.	124, 199	\$1,539.51
1605	Warrant in the amount of \$30,144.17 in favor of Peterson Consulting for expert testimony.	125, 199	\$30,144.17

Warrant

BILL NUMBER	SUBJECT	PAGE	AMOUNT
1606	Warrant in the amount of \$2,250.00 in favor of Jeffrey Mohney for damages to his vehicle due to a City tree.	125, 199	\$2,250.00
1607	Warrant in the amount of \$1,091.40 in favor of George Ware for accident involving a City police vehicle.	125, 199	\$1,091.40
1610	Warrant in the amount of \$1,594.76 in favor of Lexis-Nexis for computer user research for City Council.	126, 167	\$1,594.76
1666	In favor of American Legal Publishing Corp. in the amount of \$1,995.00.	198	\$1,995.00
1676	In favor of Commonwealth of PA in the amount of \$12,375.00 in connection with the Summer Food Service Program.	224	\$12,375
1685	In favor of Angel Concrete Pumping and Construction Company in the amount of \$17,500.00.	227	\$17,500.00
1842	In favor of Cornelius Swinton in the amount of \$966 for an accident with a city police vehicle.	499	\$966
1843	In favor of Lexis Nexis in the amount of \$1281 for computer user research for City Council.	499	\$1281
1899	In favor of Jerry Cavalovitch for use in making change at the traffic court window.	498, 559	\$500
1915	In favor of Walitha Mobley in the amount of \$1,000 for an accident involving a City police vehicle.	527, 576	\$1,000

Warrant

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>	<i>AMOUNT</i>
1941	In favor of Andrew Forsyth, Jr. in the amount of \$50,000 for an action filed alleging failure to protect Ms. Trice.	559, 587	\$50,000
1942	In favor of Stephen Lapalo in the amount of \$1,391.00 for an accident involving a City EMS vehicle.	559, 587	\$1,391.00
1961	In favor of Allegheny Cemetery care of Thomas Staresinic in the amount of \$5,000 for an accident involving a City refuge truck.	575	\$5,000
1962	In favor of Teresa Bedo in the amount of \$1,125 for sidewalk damages due to City tree roots.	575	\$1,125
1963	In favor of Denise Unise Brooks in the amount of \$3,200 alleging personal injuries which were caused by a City of Pittsburgh garbage truck.	575	\$3,200
1964	In favor of Lexis Nexis in the amount of \$3,446.27 for computer user research services for the month of April.	575	\$3,446.27
1985	In favor of Patrick Dougherty in the amount of \$8,000 for an action filed on November 24, 1993.	587	\$8,000
2036	In favor of the Commonwealth of PA.	704	
2070	In favor of Pittsburgh Legal Journal, Mellon Bank Lock Box, in the amount of \$20,875.00.	738	\$20,875.00
2071	In favor of Denise Jones in the amount of \$10,000.00 resulting from water main breaks on two separate occasions.	739	\$10,000

Warrant			
<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>	<i>AMOUNT</i>
2072	In favor of Alcosan in the amount of \$1,000.00.	739	\$1,000
2073	In favor of Kathi Gullace in the amount of \$1664.65.	739	\$1664.65
2074	In favor of Jacqueline Rosenthal in the amount of \$1,983.74.	739	\$1,983.74
2091	In favor of Mobile Health Services in the amount of \$1,194.65 for the purchase of emergency equipment.	693	\$1,194.65
2092	In favor of Mark Supply Company in the amount of \$1,755.00 for the purchase of police operational equipment.	693	\$1,755.00
2211	In favor of Charles Smith in the amount of \$1,600.	879	\$1,600
2232	Pittsburgh History and Landmarks Foundation, not to exceed \$5,000.	880	\$5,000
2271	In favor of Margaret Rea in the amount of \$770.00.	929	\$770.00
2272	In favor of Bobby Waller in the amount of \$1,248.97.	929	\$1,248.97
2273	In favor of Howard Ziegler in the amount of \$950.00.	929	\$950.00
2274	In favor of David and Linda Stacy in the amount of \$6,785.68.	929	\$6,785.68
2275	In favor of Kathleen Scheidtmeter in the amount of \$825.42.	929	\$825.42
2276	In favor of William Johns in the amount of \$2,950.00.	929	\$2,950.00
2277	In favor of Sharyn Schardf in the amount of \$6,151.61.	929	\$6,151.61
2278	In favor of Barbara Siegel in the amount of \$880.00.	929	\$880.00

Warrant

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>	<i>AMOUNT</i>
2279	In favor of Janice & William Pappert in the amount of \$2,954.27.	929	\$2,954.27
2280	In favor of Bernard Cusick on the amount of \$967.00.	929	\$967.00
2293	In favor of Geyer Printing Company in the amount of \$22,118.53.	963, 1050	\$22,118
2295	In favor of Thomas Runco in the amount of \$1,452.58.	964, 1050	\$1,452.58
2318	In favor of U.S. Nuclear Regulatory Commission in the amount of \$1,700.	1081	\$1,700
2328	In favor of Marie Devine in the amount of \$1,450.00.	1082	\$1,450.00
2329	In favor of City Treasurer for delinquent Real Estate Tax in the amount of \$765.00.	1082	\$765.00
2330	In favor of Cesare Colucci in the amount of \$780.	1082	\$780.00
2331	In favor of Lawrence Raider in the amount of \$1,000.	1082	\$1,000
2347	In favor of Werner Chepelsky & Partners in the amount of \$10,000.	1042	\$10,000
2362	In favor of Thomas Berger in the amount of \$2,840.	1045, 1158	\$2,840
2363	In favor of Janet Lester in the amount of \$1,598.63.	1045, 1158	\$1,598.63
2379	In favor of Parr Emergency Product Sales in the amount of \$1,388.53.	1079, 1195	\$1,388.53
2416	In favor of Pittsburgh Legal Journal, in the amount of \$4,763.00.	1151	\$4,763.90
2417	In favor of Henry Pucciarelli in the amount of \$1,334.00.	1151	\$1,334.00

Warrant

BILL NUMBER	SUBJECT	PAGE	AMOUNT
2418	In favor of Frank Mattola in the amount of \$2,967.54.	1151	\$2,967.54
2424	In favor of Lexis Nexis in the amount of \$1,444.67 for computer user research for City Council.	1152, 1196	\$1,444.67
2440	In favor of Premier Safety Service in the amount of \$54,242.70.	1176	\$54,242.70
2440	In favor of Premier Safety Services in the amount of \$54,242.70.	1244	\$54,242.70
2441	In favor of Braddock Hills Construction in the amount of \$53,500.	1244	\$53,500
2441	In favor of Braddock Hills Construction in the amount of \$53,500.	1176	\$53,500
2486	In favor of Mary Clark in the amount of \$10,000.	1288	\$10,000
2564	In favor of Patricia Edwards in settlement of a claim for an incident with an EMS vehicle.	1287, 1351	\$882.96
2565	In favor of Yakov Kurland in settlement of a claim for an incident of claimant's vehicle being damaged.	1287, 1351	\$2,207.68
2566	In favor of Ronald Miller in settlement of a claim for an incident in which a crack in the City's sewer line caused damage to claimants property.	1287, 1351	\$4,740.00
2567	In favor of David Tipper for damage to claimants sidewalk.	1287, 1351	\$780.00
2568	In favor of Waste Management of Pittsburgh for damage to claimants truck.	1287, 1351	\$13,943.36

Warrant

<i>BILL NUMBER</i>	<i>SUBJECT</i>	<i>PAGE</i>	<i>AMOUNT</i>
2602	In favor of Carl A. and Geraldine Black in the amount of \$1,626.74.	1321, 1366	\$7,127.26
2617	In favor of Richard Caliguiri Amyloidosis Foundation in the amount of \$8,843.00.	1347, 1398	\$8,843.00
2618	In favor of Lewis Brothers & Sons, in the amount of \$10,335.00.	1348, 1398	\$10,335
2651	In favor of Bell Atlantic Network Services in the amount of \$3,571.95.	1397	\$3,571.95

TABLE OF CONTENTS

TITLE	PAGE
Ordinance.....	76
Title One - Administration.....	76
Title Two -- Fiscal.....	76
Title Six -- Conduct.....	76
Title Seven -- Business Licensing.....	78
Title Eight -- Fire Prevention.....	78
Title Nine -- Zoning.....	78
Title Ten -- Building.....	80

BILL NUMBER	SUBJECT	PAGE
Ordinance		
2069	Amending Ord. No. 42 of 1995, by extending the time limit of the Oakland Interim Planning Overlay District.	740
2632	Amending the Pgh Code to accommodate alternative forms of payment in parking meters and to better define the parameters of a metered parking space.	1364, 1424
Ordinance - Title One		
2131	Supplementing the Pgh Code, Administrative, by adding Chapter 171, Dept. of Public Safety Training Exercise.	869
2260	Adding Section 161.33, Pgh. Living Wage, requiring employers to pay employees a minimum living wage.	927
2366	Amending the Pgh Code, Competitive Bidding.	1046
2366	Amending the Code, Administrative, preventing the provisions in contract to prevent the purchase of any goods made under sweatshop conditions.	1082
2622	Amending the Pgh Code, by adding Chapter 156, Balanced Budget Impact Statement.	1349
Ordinance - Title Two		
2597	Amending the Pgh Code, by fixing the rate of interest on certain delinquent Earned Income and Home Rule Taxes for (1997) 1998.	1320
2598	Amending the Pgh Code, Levy And Rate on Lands and Buldings, by levying the real property tax for (1997) 1998.	1320
2600	Amending the Pgh Code, by clarifying and adding definitions, changing the rate of tax, establishing trust funds.	1321, 1417
Ordinance - Title Six		
1521	Title Six, Discrimination, supplementing subsection 651.04(f) by deleting ther definition of Housing Accommodation and renumbering subsequent subsections accordingly, by adding subsection 651.04(ii) to specifically define sex to include gender indentification; and by amending subsections formally designated as 651.04(h), 651.04(j) and 651.04(hh)(1) as specified.	20, 80

BILL NUMBER	SUBJECT	PAGE
Ordinance - Title Six		
1522	Title Six, Discrimination, adding a statement to encompass requirements of the Federal Fair Housing Act and making minor grammar corrections.	20, 80
1523	Title Six, inclusive of Chapter 651.02 through 659.05 by deleting housing accommodation and replacing it with dwelling, by deleting guide dog(s) and adding support animal(s) and deleting blindness and replacing it with handicap or disability of the user.	20, 80
1524	Title Six, Discrimination, by adding a statement to encompass requirements of the Federal Fair Housing Act and making minor grammatical corrections as specified.	20, 80
1525	Title Six, Discrimination, Chapter 655.05, by deleting the entire section and replacing it with language as specified.	21
1526	Title Six, Discrimination, Chapter 655.06 Public Hearing Notice, by adding a new subsection designated as 655.06(a) and renumbering subsequent subsections, by adding Code citations to 655.06(b) by adding attorney fees in subsection 655.06(d)(6) and (7) and making minor grammatical corrections.	21
1527	Title Six, Discrimination, by adding a new article designated as 655.07, Private Right of Action.	21
1528	Title Six, Discrimination, Unlawful Housing, by broadening the definition of a lending institution by prohibiting blockbusting, and defining limitations with respect to the sale or rental of religious institutions or organizations; by adding exceptions for modifications of premises to accommodate handicapped individuals, adding citations from the American National Standard for Buildings by defining a right of action by persons who exercised others in rights granted under Chapter 659.03 and making minor grammatical corrections.	21
1626	Amending the Pgh. Code, Title Six, Conduct, permit fees by adding subsection (f) providing for an exemption to certain elderly owner occupants.	162

BILL NUMBER	SUBJECT	PAGE
Ordinance - Title Six		
1737	Supplementing the Pgh Code, Conduct, by deleting chapters 616.02 duty to remove graffiti, and 616.04 rewards, and adding chapters 620, graffiti abatement.	508
2177	Enacting a new article under Title Six entitled Citizens Police Review Board.	869, 892
2620	Amending the Pgh Code by deleting Section 604.05(2) of the enforcement section and 604.06 Curfew Center.	1348, 1403
2650	Repealing Ord. 29 of 1995, curfew for persons under seventeen years of age.	1396
2671	Amending the Pgh Code, to provide for the imposition of a Residential Refuse Collection Fee.	1416
Ordinance - Title Seven		
2601	Amending the Pgh Code, by adding requirements for the installation of revenue control equipment as a condition of license issuance.	1321, 1417
Ordinance - Title Eight		
2256	Amending Ord. 22 of 1997 by adopting a new Title Eight Fire Prevention, 1996 Edition.	927
Ordinance - Title Nine		
1168	Title Nine, Zoning, all districts, Section 993, by adding specific criteria to permit Residents to construct an off street parking stall.	129
1542	Title Nine, Zoning, by changing from Two-family residence district to Neighborhood Retail District bounded by Virginia Avenue, Maple Terrace in Allegheny County Lot and Block System.	36
1581	Ordinance amending the Pgh Code, Title Nine, Zoning, Chapter 973, "SP Specifically Planned Districts", by creating a new district to be identified as "SP-5 South Side Works".	90

BILL NUMBER	SUBJECT	PAGE
Ordinance - Title Nine		
1582	Ordinance amending the Pgh Code, Title Nine, Zoning, Article III, Zoning District Map 11, by changing from "M3" Light Industrial District to "C3" Commercial District, property bounded by Baum Blvd. and South Millvale Avenue.	90
1887	Amending the Pgh Code, Zoning, changing from R2 to family resident to RP for property located at 29 Sylvania Avenue, 18th Ward.	497
1889	Amending the Pgh Code, Zoning, changing from R4 and C4 to CIC, certain property of Carlow College having frontage on Forbes Avenue, Craft Avenue, Fifthe Avenue and Robinson Street in the 4th Ward.	497
1933	Amending the Pgh. Code, Zoning, by changing from R4 multiple family residence to R2, two family residence.	882
1933	Amending the Pgh Code, Zoning, District Map No. 16 by chaning from R4 to R2 in the Venebel plan and Kentucky Avenue.	558
1937	Amending the Pgh Code, Zoning, District Map 9 by chaning from R2 to C3 for property located east of Saw Mill Run Blvd. between Maytide Street and Saint Norbet Street.	558
2101	Amending the Pgh Code, Zoning, Distirct Map 7, by changing from A1 Commercial Residential Associsted District to C3H Commercial Residential.	695, 968
2259	Amending the Pgh. Code, by changing "R1" to "C2", 2211 McMonagle Avenue.	927, 1353
2369	Amending the Pgh Code by amending the definition of "Family".	1046
2370	Amending the Pgh Code by allowing "Family Residential Facilities for Handicapped Persons as permitted uses in residential districts.	1046
2371	Amending the Pgh Code by amending the definition of family and to make a definition for community home.	1046, 1373, 1399

BILL NUMBER	SUBJECT	PAGE
Ordinance - Title Nine		
2388	Amending the Pgh Code, Zoning, by revising Section 905.03(b).	1081, 1196,1353
2520	Amending the Pgh Code, Zoning, District Maps 6 and 11, by changing from "M4" Heavy Industrial District to "AP".	1242
2599	Amending the Pgh Code, Zoning Dist. Maps 6 and 7, changing from R4 and R5 to R2-T.	1320
Ordinance - Title Ten		
1650	Amending the Pgh. Code, Title Ten, Boca National Building Code.	194

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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January 7, 1997

No. 1

Municipal Record

**ONE-HUNDRED
TWENTY-NINTH COUNCIL**

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, January 7, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

The Chair:

Good morning everyone. Would you please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased this morning to have a student, Megan Pavilis here. She's 13 years old and she's at Schiller Classical Academy. Her mom is here, Sue. She's from Councilman Onorato's District and

she's going to lead us in the Pledge of Allegiance.

Megan Pavilis:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you Megan. Our Clerk would like to present you with a flag of our great Nation and a flag of our City. Thank you and your mom for coming down here this morning and participating in the Council's session.

I also want to welcome our Honorable Mayor, Tom Murphy, into the Chambers who's joining us for this Proclamation.

On behalf of all of my colleagues, I would like of City Council to ask all of the employees and/or the representatives, I noticed that Director Parees is here, there may be other staff directors here and you're welcomed to join us also. Could all of the employees, I believe there are 21 employees to be recognized this morning. If you could come forward please at this time, we would appreciate it. The Mayor if you could join us and we'll read the Proclamation. Director Parees if we could have you up here also with the Mayor to say a few words, we would appreciate it. Director Hirsh is here also from City Planning, Director Gallo from Parks and

Recreation, Director Parees from Personnel and the Civil Service Commission.

First of all, I think all of our colleagues and certainly the Mayor feels that we have outstanding employees and that's every employee in the City of Pittsburgh. But, I think it's important from time to time, as the Mayor has attempted to exemplify what his actions are this past few months, to take some special time out and be reflective on the specific contributions or the outstanding contributions of specific employees. This isn't something that was hand picked from the elected Councilmember or the elected Mayor, this is something generated from the peer group appreciation. The peer group relationship has generated this at the grass roots level of the City workforce. That's the way the judging and the selection and the election of these outstanding employees took place. We are very appreciative and applaud that initiative. So, on behalf of all of our colleagues, many of whom could not be at the convention center of late due to the budget proceedings, we thought it would be appropriate to bring everybody back down here and pay special recognition. So, on behalf of all of our colleagues, I'd like to read the following Resolution.

MR. FERLO PRESENTS:

No. 1501 WHEREAS, twenty-one City of Pittsburgh employees were recently honored for their exceptional achievements and for job performances above and beyond the call of duty, and

WHEREAS, these twenty-one outstanding employees, who every day help to make Pittsburgh someplace special were the first ever recipients of the

"Mayor's Awards for Employee Excellence", and

WHEREAS, these twenty-one Pittsburgh ambassadors were recognized at the "1996 Mayor's Awards for Employee Excellence" Ceremony on December 16, 1996 at the David Lawrence Convention Center.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate and commend the following City of Pittsburgh employees for their outstanding "Career Contributions": Thomas G. Olivo, Engineering & Construction; Charles Senft, Parks & Recreation; and Thomas Vennero, Parking Authority.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby congratulate and commend John Samsoky from Public Works for his "Extraordinary Contribution", Ann Mariani from Parks & Recreation for her "Overall Performance" and David A. McCulloch from the Bureau of Police for "Development".

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby congratulate and commend the following City of Pittsburgh employees for their "Exceptional Customer Service": Pamela Brown, Finance; Marie H. Pastorius, Public Safety; and Michael Radley, Parks & Recreation.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby congratulate and commend the following City of Pittsburgh employees for their "Specific Project Accomplishments": Joseph W. Hilgert, City Information Systems; Elaine J.

Johnson, Magistrate's Court; Margaret L. Kreger, Magistrate's Court; Jill Pack, Magistrate's Court; Priscilla A. Scott, Magistrate's Court; Elaine Wozniak, Magistrate's Court; Macy Kisilinsky, Urban Redevelopment Authority; Christopher Shea, Housing Authority.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby congratulate and commend the following City of Pittsburgh employees for their accomplishments as "Team Players": Nelson Andrews, William G. Biertempfel, James F. Dillon all from General Services and Mary J. Kennard from City Planning.

MR. UDIN motioned to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

I think the Proclamation is self-explanatory. I'd like to first call on Director Parees to just say very briefly about the event and how you formulated this. And, I'd like to ask our Honorable Mayor to say some words. Then, if the individual department directors would like to have a couple of minutes, by all means. Let's bring the director up here who helped to coordinate this winner's staff and the City and, then, I'd like to introduce the Mayor.

Ms. Parees:

The Department of Personnel and Civil Service issued a request to all City employees this past summer asking them

to nominate their fellow employees for all the exceptional categories that the Councilman just read. We received close to 85 nominations, Citywide. Those nominations were reviewed for accuracy and, then, were given to a panel of three judges, three individuals who were chooses from the community, all live within the City of Pittsburgh who, then, spent a great deal of time reviewing all of the documentation and information that was included in the nomination packets. Then, they selected these 21 individuals to receive this year's first Mayor's Award for employee excellence. I would also add that coming up in a couple of weeks, we will also be honoring City employees who have worked for the City 30 years or more. We have close to 150 individuals who fall into that category. So, the City is very proud to acknowledge and recognize the fine work and accomplishments by these employees and, certainly, the dedication of our City workers. Our workforce, as we all know, is our most valuable resource and we're very pleased to be here today. Thank you.

Mr. Murphy:

Jim you missed a good dinner and a better evening, Kurt Angle was there. Kurt, as you know, the Olympic winner in wrestling, was there to not only speak about his success story, but to demonstrate what the dinner was about which was celebrating excellence. These employees are why we are being successful in the City because they everyday demonstrate excellence. We all know that, and we've been through this that being Mayor and City Council people, we get elected to represent the City, but when somebody picks up a phone and calls the Magistrates Court or parking or finance and ask the question, the City employee that picks up

that phone is the City to that person making that phone call. It determines very much whether we are perceived as doing a good job or a bad job. These are employees that we've recognized as people that consistently not only do a good job for us, but demonstrate excellence. They, I think, recognize instinctively what this is about. That we build wonderful new buildings downtown or new houses on the South Side or the North Side and that we can have great programs like First Night. All of that is fit into the day to day things that we do. If it all comes together, then we're all part of building a wonderful City. These employees, I think, recognize that everyday in the work that they do. They demonstrate that they understand that their work is part of the larger picture of making this City work. For that, we're really very grateful. I want to thank the Department of Personnel for taking the initiative to organize the dinner, to put together a fine program that night, and to go through the effort of recognizing these employees. I want to thank all the City employees for participating in and identifying their peers who they thought were examples of excellence that we should celebrate everyday in this City. Thank you very much for your efforts.

The Chair:

I noticed Director Hannigan is also here from the Finance Department and Director Miscovich from General Services. Would one of the Directors, maybe Director Hirsh, we'll put you on the spot, if you'd like to say a few words on behalf of the various department directors who I know in order for you, in order to do your jobs, you need the kind of confidence and the qualifications and leadership that they employees have shown. Maybe on the behalf of some of

the directors, you'd like to say a few words.

Ms. Hirsh:

Actually, you just said it. No director could do his or her job without the support of the extraordinary employees working for all of us. Public Services is a challenge and it's also a calling. All of us rely on the people who are doing the work day in and day out, who greet the public even when the public does not greet them with the warmest enthusiasm. We all rely on and, in fact, look for opportunities to recognize the terrific people that work for us. The directors also are very grateful to the Department of Personnel, to the Mayor's Office and to City Council for having provided this opportunity for that recognition. We look forward to it going on. Thank you.

The Chair:

We're also going to put one employee on the spot. We'd like to, at least, have one of you come forward and talk generally about what the experience was, how you feel about and how you think the event needs to shape up for this year. I'm going to put somebody on the spot.

I think everybody here on Council, I think we know many of the employees here. I think everybody here has probably had a great opportunity to work with Tom, specifically, because of his leadership and patience in working with Community Park, Redesign and Rehab and Refurbishing. He's spent a lot of time out at grass roots level, getting beat up a lot of times at Planning Meetings. I think Tom exemplifies the leadership we're talking about.

Mr. Olivo:

Thank you Councilman. As a designer or a planner, I usually work at the drafting table coming up with some design projects. I'm not good at ad libing. I usually like to have everything prepared in front of me. In fact, I was very nervous the night of the banquet and I wasn't sure if we were going to give a speech or not that night. So, I prepared the night before with a written speech just in case we had to say something up there. I had it all ready to go. As fate may have it, that night they said no speeches which was fine. I was very relaxed after that point. It was very exciting for me to be nominated by my co-workers and also to receive such an award. Especially, since it was the first time this was ever done in the City of Pittsburgh and I think it was about time. I think it was a great idea and long overdue. I think those who received awards are thankful. That night was very exciting for me and my family. Thank you.

The Chair:

Councilman Udin.

Mr. Udin:

I just wanted to add my congratulations to the awardees and by way of the awardees to the entire City workforce. Throughout the discussion during the budget period as well as during the Competitive Pittsburgh Taskforce, when we looked at every single department of the City trying to find ways that we could save money and re-invent the government and do better work, I think the overall challenge that was given to everyone was that most of the City's problems could be solved. Not so much

by layoffs as much as by striving for excellence. If we could, as in the words of Paul O'Neil, create a culture of excellence throughout the workforce, that would suffice for all the recommendations that were presented by the taskforce. I think that this group, Mr. President and Mr. Mayor, represent the kind of culture of excellence that the entire City workforce could implement and we wouldn't have to worry about laying off anybody. We could just become a more excellent government.

The Chair:

Thank you. Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. Very briefly, when Tom Olivo was speaking, I was looking to see what his award was and I thought maybe an award for stress management might be the best for him because so many of us here on Council have worked with Tom, I made him pull his hair out a few times with the Liberty School Playground. Everyone of you, although some I've worked with and some I haven't, I just want to congratulate you. I think this is the greatest thing to have a recognition. I want to congratulate you Barb for putting it together because the only way the City truly works is if every City employee has that spirit of public service and you have clearly demonstrated that in an outstanding way. I just want to congratulate you.

The Chair:

Thank you. Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. Too often, I think all the public hear about is the public employees that are doing something wrong. I'm glad that we've taken the opportunity to recognize the public employees that are doing something right. I think that everyone's morale gets beaten down a little bit everyday when you're plugging away and you're doing the right thing and you're doing a good job and you hear these reports that are out there and the public hears it and they start to generalize about the public employees that they're all the same and that they're no good. We all know that's anything but true, that they're very much in the minority and that we have a lot of great people. I'm glad to see everyone recognized. I want to compliment the Mayor on putting this all together and Barbara Parees. I think the whole process was an excellent process, too. It was an objective process, I felt. That is, you had a panel of three individuals that were very well qualified to review the material and had no political connections whatsoever. Looked at everything in an unbiased manner and arrived at their decisions. That's not to say that the people that didn't win aren't good people either. I guess we only had so many awards that could be given out. Hopefully, in the future, we'll be recognizing some other people. Also, I think, hand and hand with this process is the performance appraisal and performance of evaluation process that we're now starting to implement in the City to give everybody some feedback on what kind of job they're doing and, hopefully, make some people that don't know that they aren't doing everything they should be doing, letting them know what that is and given them a chance to get up here too.

The Chair:

Thank you very much. Again, on behalf of all our colleagues and especially the constituents that we represent, we just want to thank you and applaud you for your hard work. Thank you very much.

That concludes our Read and Adopted. We're going to move directly to Presentation of Papers, Committee on Public Safety Services.

Mr. Cohen:

No papers this morning, Mr. President.

The Chair:

Thank you Councilman Cohen. Councilman Cohen for Mr. Cusick, Committee on Parks, Recreations and Youth Policy.

Mr. Cohen:

One paper, Mr. President.

The Chair:

Thank you Councilman Cohen.

PRESENTATIONS

MR. COHEN FOR MR. CUSICK PRESENTED:

No. 1502 Resolution authorizing the Director of the Department of Parks and Recreation to enter into an agreement or agreements in individual amounts of \$10,000.00 or less with various performers, instructors, artists and other persons with specialized skills in connection with the various recreational

and instructional programs for the calendar of year 1997.

Which was read and referred to the Committee on Parks, Recreation and Youth Policy.

The Chair:

Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

No new papers.

The Chair:

Thank you Councilman. Councilwoman McDonald, Committee on Housing, Economic Development and Promotion.

Ms. McDonald:

Mr. President.

The Chair:

Thank you.

MS. MCDONALD AND MR. HERTZBERG PRESENTED:

No. 1503 Resolution approving the Redevelopment Proposal dated December, 1996 including Modification No. 7 to the Redevelopment Area Plan, for Redevelopment Activities in a portion of Redevelopment Area No. 39 North Shore, in the 22nd and 23rd Wards of the City of Pittsburgh.

Also,

No. 1504 Resolution authorizing the URA to acquire all of the City's right, title and interest, if any, in and to publicly-owned property in the 21st Ward of the City of Pittsburgh -- Hope VI.

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

The Chair:

Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

No papers, Mr. President.

The Chair:

Thank you Councilman. Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

MR. ONORATO PRESENTED:

No. 1505 Resolution approving a conditional use exception under Section 993.01(a)A(20) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, as amended to the Pittsburgh Board of Public Education for authorization to convert an existing three-story structure located at 3530 Fleming Avenue into a middle school with a projected occupancy of 356 students, with parking for

51 automobiles, on property zoned "R2"
Two-Family Residence District,
27th Ward.

Which was read and referred to the
Committee on Planning, Zoning & Land
Use.

The Chair:

Councilman Udin for Mr.
Ricciardi, Committee on Public Works,
Water and Environmental Services.

Mr. Udin:

Mr. President.

The Chair:

Thank you Mr. Udin.

**MR. UDIN FOR MR. RICCIARDI
PRESENTED:**

No. 1506 Resolution providing
for an agreement or agreements with the
Commonwealth of Pennsylvania
Department of Transportation for the
installation, maintenance and energizing of
highway lighting on the Blvd. of the
Allies.

Also,

No. 1507 Resolution granting
unto Michael S. Bearer, 603 Tara Drive,
Pittsburgh, Pennsylvania 15237, his
successors and assigns, an encroachment
to construct, maintain and use at his own
cost and expense, a handicap ramp on a
portion of the sidewalk on Woodland
Avenue in the 27th Ward, 1st Council
District of the City of Pittsburgh.

Also,

No. 1508 Resolution granting
unto Andrew J. Kubiczki, 18 Hackstown
Street, Pittsburgh, Pennsylvania 15203, his
successors and assigns, an encroachment
to construct, maintain and use at his own
cost and expense, a concrete slab, house,
deck and porch on a portion of the
right-of-way on Unnamed Way and
Hackstown Street in the 17th Ward, 3rd
Council District of the City of Pittsburgh.

Also,

No. 1509 Resolution granting
unto Union Grill, 413 South Craig Street,
Pittsburgh, Pennsylvania 15213, their
successors and assigns, an encroachment
to construct, maintain and use at their own
cost and expense, a sidewalk cafe on a
portion of the right-of-way of the sidewalk
area at 413 South Craig Street in the 4th
Ward, 8th Council District of the City of
Pittsburgh.

Also,

No. 1510 Resolution granting
unto Bell Atlantic Network Services, Inc.,
1707 Pennsylvania Avenue, Pittsburgh,
Pennsylvania 15233, their successors and
assigns, an encroachment to construct,
maintain and use at their own cost and
expense, telephone enclosures on a portion
of the sidewalk area at various locations
throughout the City of Pittsburgh.

Also,

No. 1511 Resolution granting
unto Jerome J. Segal and Monica
Zettler-Segal, 967 Macon Street,
Pittsburgh, Pennsylvania 15218, their
successors and assigns, an encroachment
to construct, maintain and use at their own
cost and expense, a fence on a portion of

the right-of-way on Macon Street in the 14th Ward, 5th Council District of the City of Pittsburgh.

Also,

No. 1512 Resolution granting unto Fort Hill Development Company, 2303 Salisbury Street, Pittsburgh, Pennsylvania 15210-1846, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the right-of-way at 2318 Arlington Avenue in the 16th Ward, 3rd Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water & Environmental Services.

The Chair:

Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Mr. Udin.

MR. UDIN PRESENTED:

No. 1513 Resolution providing for the issuance of a \$1,383.00 warrant in favor of Elodia Di Benedictis in settlement of claim for property damage due to sewer back-up, chargeable to and payable from Code Account 46, Judgments.

Also,

No. 1514 Resolution amending Resolution No. 760, effective October 21, 1996 to change the Ordinance number and the date the City of Pittsburgh acquired the property which currently reads Ordinance No. 55, March 25, 1926 to correctly read Ordinance No. 74, February 13, 1925.

Also,

No. 1515 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 1516 Communication from Deborah S. Miscovich, Director of General Services, submitting the Pittsburgh Cable Communications Advisory Committee 1995 Annual Report.

MR. UDIN motion to received and file.

MR. RICCIARDI seconded the motion.

Which was read, received and filed.

The Chair:

That concludes our Presentation of Papers. We have no other Proclamations. Since this is the first Legislative Meeting of the year, I don't believe we have any final action or any bills pending, we will next week, obviously.

Under Unfinished Business and Reports of Special Committees, I would ask my colleagues' cooperation in the

completion, if necessary this year, in what is a Pittsburgh City Council Professional Service Invoice Form. All of you have received a copy of this. This states more clearly what has been the practice regarding our expenditure of salary as well as non-salary dollars that are available to us as elected officials attempting to fulfill our duties and obligations. I want to thank Councilman Cohen for helping me draft this form up. I think the form is self-explanatory. There should be no confusion among the public, the media or anybody else who wants to make an inquiry as to how we have expended dollars that are afforded to us. As part of our City budget allocation, we have roughly \$84,000.00 in salary, we have approximately \$4,000.00 in non-salary resources that we utilize for a variety of part-time staff of professional service individuals who help us carry out our job and our duty responsibilities. If you look on the form, it very clearly states who the vendor or the individual or community group is that is receiving the payment. It has very specific information about their address, their zip code, whether or not they have a tax identification number and/or their social security number so that we can also tax that income if we make a payment to them and a better description delineating the services that were rendered to the Councilmember, be it the legislative policy, activity, research, professional writing, financial analysis, office coverage, helping with constituents, and out-of-pocket reimbursement for expenses. Other things that aren't listed on the form. It will be clearly spelled out with a specific description for the work performed and the services rendered, the vendor and the individual receiving the payment from the City. Whoever's requesting payment from the City would sign and date the vendor form as well,

ultimately, as the elected Councilmember responsible for the expenditure of their salary and non-salary dollars. The Councilmember will affix their signature on this Professional Services Invoice Form. Again, I want to thank Councilman Cohen for his help in getting this drafted up. I think it better states and clarifies what has been the policy in the past. We're always willing and able to improve the accountability and the information and I think this form clearly does that. But, again, it is the elected Councilmember who is responsible for the expenditure of the dollars. They and they alone are held accountable for these expenditures. We would ask that the Clerk's Office specifically help administratively in processing the departmental invoice in the Controller's Office and that DI should be accompanied by this formal invoice that has been delineated as a result of my action and with the support of my colleagues. Having said that, I want to thank you for your cooperation this year in that matter.

Are there other matters to be brought before the Body? Councilman Cohen then Mr. Udin.

Mr. Cohen:

This is on another issue Mr. President.

The Chair:

Councilman Udin first then.

Mr. Udin:

This is on another issue, sir.

The Chair:

Then, either one first.

Mr. Cohen:

I'll defer to my colleague.

Mr. Udin:

Thank you. I will just remind President and my colleagues that I've been meeting with the so-called Telecommunication's Taskforce in the Mayor's Office based on interest that I had expressed at the Council table on a telecommunication's Policy for the City. Those meetings have developed to the point now where I think Council needs to be briefed on the important implications that exist for the City relative to the Telecommunication's Act and the steps that the City has to take in order to position itself in terms of right-of-way, policies and procedures, and franchise fee policies. There are important implications for all Telecommunication's aspects. We've discussed, to some extent, the issue of towers and the issue of cables, but there are many other avenues of telecommunication such as the cell phone and telephones and other telecommunication's issues that the City has to get in front of and establish a policy that can accommodate all of our future telecommunication needs in compliance with the new law.

At the pleasure of the President, I will be requesting a televised post-agenda. At which time the members of the taskforce or any other consultants or individuals that Council may want to hear from can come forward and make presentations to Council so that we can be prepared to take the next steps.

The Chair:

Thank you Councilman.
Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. Yesterday we received a letter from Judge Robert Dower who is the President Judge of the Court of Common Pleas regarding security in this building and in the County Court House. This is a very important issue and one that I think deserves just a couple minutes of our time.

Judge Dower says in his letter that the Board of Judges, and I'm reading directly from it, has been complaining for years about security in the various courts in the Allegheny County Court House and in the City County Building. With the exception of the family division on the 6th floor of this building, security in non-existed. For many years during my tenure as Administrative Judge of the Criminal Division, I had repeated meetings with County Officials concerning this problem, committees were formed, investigations conducted, recommendations solicited, promises made, but nothing has ever happened. He points out in the letter that there are a number of aspects of this building, of course, and the County Court House, that make it insecure. One of which, of course, is that we have eight entrances to this building. Obviously, when these buildings were built, they were not built with security in mind. Judge Dower is right when he says at the end of the letter that the lack of security in this building is a disaster waiting to happen. Just last week, there was an incident in the building where police were called to the scene. I believe it turned out to be a false alarm, but there was a report of a man with a gun in an elevator with respect to a

family court incident. If it had been true, it could have been tragic. Obviously, we have thousands of visitors coming to this building, aside from the public officials here, we have school children who come here everyday and they witness very emotional issues in court and, certainly, in this Chambers.

The good thing is that we don't have to start from scratch because under Councilman Gene Ricciardi's leadership, this Council passed a Resolution, Resolution No. 1083, on September 14, 1993, calling for a comprehensive review of the number of weapons confiscated in building, the cost of installing metal detectors, etc. Under Councilman Ricciardi's supervisor, Carlie Edmond, who was then the Head of OMI, put together a taskforce, did the review and came up with this report. This report was dated June 27, 1994. It offers a number of recommendations but, as far as I know, none of these recommendations have ever gone into affect. I spoke with Deborah Miscovich this morning who supplied me with a copy of this report. The reason given usually for the recommendations not going into affect, is cost. Obviously, that's a very big factor. What I'd like to do, though, is ask that this Council request that Deborah Miscovich, and she has already expressed her cooperation on this as with all the other things this Council does, to go through and cost out the recommendations. And, to give us a copy of what it would take to put various recommendations into affect to make this building more secure. I think that we have an obligation to do that. Frankly, I think with this report being public, we also have a potential liability issue. What I'd like to do is just move the Council, direct Deborah Miscovich, and also with a copy to Deputy Mayor Sal Sirabella to go

through these recommendations, cross them out then bring them back to Council so we can discuss which of them to put into affect.

The Chair:

Thank you. On this issue, Councilman Udin.

Mr. Udin:

I'd like to just suggest a friendly amendment, that she might also inquire of our general service counterparts in the County that will be doing, presumably, security for the County Building. A single contract might present some cost savings that otherwise might not be realized.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Also, we could point out up the street, the two federal buildings at the end of the street have a much different security system. Recently, the Federal Building underwent some heavy scrutiny in that area when an individual actually ended-up getting shot, if you remember last year. They've implemented a new set up there as I understand it. So, we might want to look to what they've done.

Mr. Cohen:

I also spoke with Judge Dower yesterday and he supports, of course, any effort that we can put forward to try to make even the City portion more secure.

The Chair:

Any other discussion?
Councilman O'Connor:

Mr. O'Connor:

Shouldn't this be a City-County joint effort because of the building? Is that part of it, the taskforce includes the county?

Mr. Cohen:

Absolutely, Councilman. This taskforce report was a City-County effort.

Mr. O'Connor:

I was curious, three or four years ago when that was done, there was no cost estimates at all?

Mr. Cohen:

Not that I know of. Recommendations were done. I don't see any cost estimates in the report. If they had been done, the Administration would have that and we should get it.

The Chair:

Thank you. I want to ask that Councilman Cohen, in addition to the resolution communicating to the director, follow-up, personally, with Mr. Ricciardi since he worked initially on the report to Judge Dower and to Director Canon from the County or whatever appropriate officials and try to come back with a fuller report on what course of action we should take.

Mr. Cohen:

I know that the Councilman had to go to a doctor's appointment, but he was

here for the beginning of this meeting. He actually supplied me with much of this information. He's very interested in it as well.

The Chair:

Any other discussion? I want to thank about 50 residents who came out Citywide last night to the East Liberty Presbyterian Church. These are individuals who continue to want to press for a creation of a Civil Police Review Board in the City of Pittsburgh. I was very impressed with the individuals. I was also glad to see the 50 or so people that did come out there. I only knew about 10 or 12 of the individuals which tells me that there is renewed interest and concern about this issue. The initiative is underway, and petitions and signatures have already been collected as of this weekend. It is our goal to collect a minimal 20,000 qualified signatures on petitions seeking to put the issue of the creation of the Civilian Review Board on the spring primary ballot. I believe it's the May 20th election. If there are individuals in the public who are sympathetic of this issue and would like to assist in this petition drive, I would ask that you please call Councilman Cohen or Councilwoman McDonald or Councilman Udin or my office or the offices of the Community Coalition that's been put together. We're off and running and we're very determined to generate the necessary number of signatures. We're very excited about the ability to go out at the street level and talk to residents about our support for the police bureau, our appreciation for the police and the job that they do, but at the same time our clear need and recognition for wanting some fundamental reform in the manner in which alleged misconduct by police is reviewed by an independent

review board. We still very much believe that this is needed and something that is desired by the majority of the residents in the City of Pittsburgh. But, the proof is in the pudding and the proof will come with the gathering of the necessary signatures and the public education and advocacy campaign that I'm sure will take place between now and the May 20th election. Again, if there are residents who are hearing my words this morning, if you would like to participate in this campaign, please contact the appropriate district Councilmember or the Citizen and Accountability Coalition that's been developed. We only have until roughly February 17th to collect the number of signatures. In addition, we will also be conducting voter registration in conjunction with the petition campaign. So, I want to thank you very much for your support and continued interest and the need for the review board.

Any other comments or discussion? Councilman O'Connor.

MR. O'CONNOR motioned to televise next week's post-agenda with the Controller's Office concerning the EMS billing.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Also, I would respectfully like to ask for a cable casting of a post-agenda regarding the presentation by the Greater Pittsburgh Convention and Visitor's Bureau. They've developed a business plan and projected some numbers. Instead of having separate meetings, I invited them to meet formally with Council at a

post-agenda format. Also, I think the public would find interesting the debate and the dialogue around the issue of, from an economic development point-of-view, at least in my own view, the priority needs to be the expansion of the convention center. So, I would also like to, respectfully, be able to cable cast that representation by the representatives. January 21st is the post-agenda.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

Councilman Udin.

Mr. Udin:

Motion to cable cast the post-agenda on the Telecommunication's.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

Are there any other issues or matters to be brought before the Body? If not, thank you all.

This legislative session stands adjourned.

Stenotype Reporter:

Transcribed by: Lenora Johnson

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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No. 2.

Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, January 14, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

The Chair:

Good morning everyone. Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased this morning to have two young students from Councilman Hertzberg's District, Council District 2, Danielle Skoz and Ashley Skoz. They both attend Elizabeth Seton Elementary

School in Sheraden. Danielle is in the 2nd grade and Ashley is in the 6th grade. They're accompanied this morning by their parents, Dan and Sharon Skoz.

Danielle Skoz & Ashley Skoz:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you Danielle and Ashley. Our City Clerk would like to present you with a flag of our great Nation and a flag of our City. I did fail to mention that Danielle is 7 years old and Ashley is 11 years old. We very much appreciate you and your family for being down here this morning.

We have a number of guests in the audience this morning. At this time, I'd like to call on Councilman Cohen and Councilman O'Connor for a joint Proclamation.

Mr. Cohen:

To be read into the record.

The Chair:

One to be read into the record.

**MR. COHEN AND MR. O'CONNOR
PRESENTS:**

No. 1517 WHEREAS, the Yeshiva Schools provide quality education in both secular and Judaic studies to children from preschool through high school under the guidance and vision of the Lubavitcher Rebbe, Rabbi Menachem Mendel Schneerson, O.B.M., and Rabbi Yisroel Rosenfeld, Dean and William C. Rudolph, President, and

WHEREAS, the theme of the Yeshiva Schools 53rd Annual Dinner on January 19, 1997 is "Outstanding," with two outstanding leaders of the Yeshiva community being honored, Rabbi Yisroel and Blumi Rosenfeld, and

WHEREAS, as Dean of the Yeshiva Schools during a time of vigorous growth, 1997 is the Chai year of Rabbi Rosenfeld's tenure at Yeshiva, and

WHEREAS, as Director of Yeshiva's preschool, Blumi Rosenfeld has been involved with Yeshiva Schools not only as an administrator, but also as a teacher, parent, student, daughter and granddaughter, and

WHEREAS, in recognition of the Rosenfelds' outstanding service to Yeshiva, the Chief Rabbi of Melbourne, Australia and Chief Chaplain of the Australia Armed Forces, Chaim Gutnick, will be the keynote speaker at the Dinner.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends and congratulates the Yeshiva Schools for over 53 years of service to the Jewish community and to the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh commends and congratulates Rabbi

Yisroel and Blumi Rosenfeld for their outstanding years of service to Yeshiva Schools and our community.

MR. UDIN motioned to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

To be read into the record.

The Chair:

Thank you Councilman.

MR. HERTZBERG PRESENTS:

No. 1518 WHEREAS, it is estimated that more than \$99 billion will be spent by teens this year and 25% of 18 and 19 year olds have their own credit cards, and

WHEREAS, High school seniors frequently are unprepared for many of the critical financial decisions they need to make after they graduate, and

WHEREAS, nationally, for more than a quarter century, many Americans have been challenged to save even five percent of their income - in contrast to the 10 percent recommended by the majority of financial planners, and

WHEREAS, The National Endowment for Financial Education, the

Cooperative Extension System - USDA, and The Acacia Financial Center of Pittsburgh are sponsoring "Financial Literacy for Youth Month" to encourage educational programs to give young people the financial tools they need to live balanced, responsible and rewarding lives, and

WHEREAS, this public awareness effort will help teens learn about the financial planning process and contribute to their personal financial stability and, consequently, contribute to the financial stability of the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby proclaim January, 1997 as "Financial Literacy for Youth Month" in the City of Pittsburgh.

MS. MCDONALD motioned to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Thank you. Councilman Udin, I believe you have some guests here from Mercy Hospital.

Mr. Udin:

Thank you Mr. President. I'd like to ask Dr. Jim Withers and his guests from Mercy Hospital to come forward.

Colleagues, in a time when there are many complaints of the managed care system and the lack of health and medical care that is available to our nation's poor, we have a team of people who work out of

Mercy Hospital who stand in stark contrast to some of the examples that we read about and that pains our heart. These are people who don't just concern themselves with making money and getting rich or serving the rich. They don't concern themselves with just waiting for people to come to them. They have an operation that reaches out. They go out into the streets, they go from door to door, they go up under the bridges and behind and in abandoned buildings and find people who need their services as physicians and medical professionals and provide those services in the true spirit that medicine was originated in and was intended to serve. So, it's a great pleasure that I have to present this resolution on behalf of all Council to Operation Safety Net and Dr. Jim Withers and his colleagues.

MR. UDIN PRESENTS:

No. 1519 WHEREAS, Dr. Jim Withers is known as the Man of Mercy. Literally, he is a young internist and teaching physician at Mercy Hospital in the city's Uptown section, and

WHEREAS, Dr. Withers walks Pittsburgh's streets attending to and bringing much needed medical care to the homeless people who live on our city streets and under our bridges, and

WHEREAS, under Operation Safety Net, a program started in 1992, a group of two dozen doctors, nurses and community volunteers team up and travel Pittsburgh's streets looking for those in need of food, clothing, and medical care, and

WHEREAS, since Operation Safety Net began their mission, no homeless person has lost limbs or died on

our streets due to hypothermia. Dr. Withers touches the homeless with his hands and his heart, and

WHEREAS, Dr. Withers' hippocratic oath was inspired by his physician father, Donald, and his mother, June, a nurse, and

WHEREAS, his work with the homeless people of Pittsburgh has been documented by local and national media.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes and supports the efforts of Operation Safety Net and gives special recognition and thanks to Dr. Withers for his outstanding work with Pittsburgh's homeless population.

MR. O'CONNOR motioned to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Udin:

I'd like to introduce Dr. Withers and ask Dr. Withers to say a few words and to introduce his other colleagues.

Dr. Withers:

I want to thank Councilman Udin and all of Council for this great privilege and recognition of our work on the streets. It's really an extension of our belief that everyone is worthy of dignified medical care and access to that care. I want to introduce my good friend Nell Davidson who's our Nurse Case Manager and friend to many of the homeless. Dr. Mark Myer has joined us on the streets for several years now. Linda Sheetz is our

Administrator who holds it all together. I also just want everyone to remember the homeless at this especially since it's so cold outside and pray that they make it through this winter and that we can pull together as a community to find solutions for the problems that we have there. Thank you.

The Chair:

Mr. Telaricko.

Mr. Telaricko:

This gentleman should go right to heaven for the work that he does. All hours of the night, he's on the streets. He's saved many of lives. It's a very worthwhile program. On behalf of Sister Joanne Marie Andeoreo, who I feel is the best CEO on the street, thank you very much and God bless you all.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

First of all, I want to commend you on your work. Actually, I was with a group and really hadn't read about you and they were talking about the work that you did. It was brought up that you have an ambulance or a man that you actually go around and you walk under the bridge. I don't know if you want to explain How you do it. I think it's a phenomenal story.

Dr. Withers:

I was invited to go on the street with homeless colleagues who have a program called Save-a-Life which is also been active for these many years on the

streets. That partnership of medical and homeless folks has ready lead to a sense of community effort on the street. The main stay of our work is in teams. We have a person who used to sleep on the streets always with a medical volunteer. The two volunteers walk the beat, so to speak, in different parts of the City and get to know people. A lot of communities and church groups and others have joined us in the concern for these folks. We do have a medical van that goes out and allows other civic groups to contribute as well. It's been an honor to be part of watching this unfold. It has restored my faith in our community in Pittsburgh and let us be an example. I think there's some other cities that really don't have the compassionate level that we have here.

Mr. O'Connor:

We certainly want to thank you. Also, I would suggest that Mercy Hospital visiting the fire fighters and did an excellent job on your Burn Unit and all of Pittsburgh thanks you for all of your hard work.

The Chair:

Councilman Cohen.

Mr. Cohen:

I wanted to echo Councilman O'Connor's remarks and just congratulate Dr. Withers for his merciful work of Mercy Hospital and for his compassion. Also, I just wanted to follow-up in saying that since we have representatives from Mercy Hospital here to thank them for all their compassion for the four fire fighters. I went to visit them as well and I saw a tremendous amount of sensitivity and

compassion for them. Thank you so much for all of your good work.

The Chair:

Thank you all and congratulations. Thank you for your hard work.

That concludes our Read and Adopted. Moving to Presentation of Papers, beginning with Councilman Cohen, Committee on Public Safety Services.

Mr. Cohen:

No papers this morning, Mr. President.

The Chair:

Thank you Councilman Cohen. Councilman Cohen for Mr. Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Cohen:

No papers, Mr. President.

The Chair:

Thank you Councilman. Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

PRESENTATIONS

MR. HERTZBERG PRESENTED:

No. 1520 Resolution transferring the amount of \$7,000.00 from Code Account 1001-2, Salaries & Wages, As Needed, City Council, Account 511000, Sub-Class 010, Organization 101120, to Code Account 1001-1, Miscellaneous Services, City Council, Account 525500, Organization 101100, both within Fund 1000 for the budget year 1997.

Which was read and referred to the Committee on Finance and Budget.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bills only until or after the calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Councilwoman McDonald,
Committee on Housing, Economic
Development and Promotion.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTED:

No. 1521 Ordinance
amending the Pittsburgh Code of
Ordinances, Title Six, Article V,
Discrimination, Chapter 651.04,

Definitions, supplementing subsection 651.04(f) by deleting the definition of "Housing Accommodation" and by re-numbering subsequent subsections accordingly, by adding subsection 651.04(ii) to specifically define sex to include gender identification; and by amending subsections formally designated as 651.04(h), 651.04(j) and 651.04(hh)(1) as specified.

Also,

No. 1522 Ordinance
amending the Pittsburgh Code of Ordinances, Title Six, Article V, Discrimination, Chapter 655.04, Complaint Review, Service, Answer and Conciliation, by adding a statement to encompass requirements of the Federal Fair Housing Act and making minor grammar corrections, as specified. Title Six, Article V, Discrimination, Chapter 659.05, Religious Symbol Desecration, subsection (b) is also amended to include a minor grammatical correction.

Also,

No. 1523 Ordinance
amending the Pittsburgh Code of Ordinances, inclusive of Chapter 651.02 through 659.05, by deleting the term, housing accommodation, and replacing it with dwelling; by deleting guide dog or guide dogs and adding support animal or support animals; and by deleting blindness and replacing it with handicap or disability of the user.

Also,

No. 1524 Ordinance
amending the Pittsburgh Code of Ordinances, Title Six, Article VI, Discrimination, Chapter 651.04,

Complaint Review, Service, Answer and Conciliation by adding a statement to encompass requirements of the Federal Fair Housing Act and making minor grammatical corrections as specified.

Also,

No. 1525 An Ordinance amending the Pittsburgh Code of Ordinances, Title Six, Article V, Discrimination, Chapter 655.05, in Conjunction to Restrain Property Disposition, by deleting the entire section and replacing it with language as specified.

Also,

No. 1526 An Ordinance amending the Pittsburgh Code of Ordinances, Title Six, Article V, Discrimination, Chapter 655.06, Public Hearing Notice, Procedure and Order, by adding a new subsection designated as 655.06(a) and re-numbering subsequent subsections accordingly; by adding specific Code citations to the subsection now designated as 655.06(b) by adding the award of attorney fees in subsection 655.06(d)(6) and (7); and by making minor grammatical corrections as specified.

Also,

No. 1527 An Ordinance amending the Pittsburgh Code of Ordinances, Title Six, Article V, Discrimination, by adding a new article designated 655.07, Private Right of Action.

Also,

No. 1528 An Ordinance amending the Pittsburgh Code of Ordinances, Title Six, Article V, Discrimination, 659.03, Unlawful Housing Practices, by broadening the definition of a lending institution by specifically expanding the prohibitions against the practice known as blockbusting; by specifically defining limitations or preferences with respect to the sale, rental or occupancy of bona fide religious or sectarian institutions or organizations; by adding a specific exception for modification of premises to accommodate a handicapped individual; adding a citation from the American National Standard for Buildings and Facilities as satisfying the requirements of Chapter 659.03(k)3(c) by defining a right of action by persons who exercised or aided others in rights granted under Chapter 659.03 of the City Code and by making minor grammatical corrections as specified.

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

The Chair:

Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

No papers, Mr. President.

The Chair:

Thank you Councilman. Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman.

MR. ONORATO PRESENTED:

No. 1529 Resolution approving a Conditional Use Exception under Section 993.01(a)A(43) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Operation Nehemiah, Inc., for authorization to use an existing two-story dwelling with a one-story, 22-foot-by- 40-foot extension located at 7325 Tioga Street as a group resident facility for eight juveniles, with two parking stalls, on property zoned "R2-T" Townhouse Residence District, 13th Ward.

Also,

No. 1530 Resolution amending Resolution No. 229, approved March 13, 1992, amending Resolution No. 636, approved July 23, 1986, entitled, "Providing for implementation of a Residential Parking Permit Program (RPPP) in the Allegheny West community pursuant to Pittsburgh Code 549", so as to expand the streets included in the existing Allegheny West RPPP Area "G".

Which were read and referred to the Committee on Planning, Zoning & Land Use.

Also,

No. 1531 Resolution amending Resolution No. 994, approved December 10, 1996, entitled, "Providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 171

of 1984", Second Class City Treasurer Sale and Collection Act effective December 11, 1984 to include adjoining property located at 815 Concord Street, 23rd Ward, Council District.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

Councilman Ricciardi, Committee on Public Works, Water and Environmental Services.

Mr. Ricciardi:

No new papers, Mr. President.

The Chair:

Thank you Councilman. Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman.

We've asked Director Miscovich to put another lump of coal in the furnace to help the freezing temperatures here in Councilman Chambers.

MR. UDIN PRESENTED:

No. 1532 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City

Treasurer Sale and Collection Act", effective December 11, 1984.

Which was read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 1533 Communication from Joseph W. Lengyel, Acting Executive Director of the Allegheny County Sanitary Authority, submitting the Authority's personnel and rate report as of December 31, 1996 pursuant to Act of Assembly No. 339 of July 10, 1957.

MR. RICCIARDI motioned to receive and file.

MR. UDIN seconded the motion.

Which was read, voted on and approved.

The Chair:

Under Unfinished Business or Reports of Special Committees, any matter to be brought before the Body? Councilwoman McDonald.

Ms. McDonald:

This is not necessarily a resolution, but I want to commend our City Clerk, Linda Johnson-Wasler for being highlighted and profiled in Successful Woman, a publication that I just received. She's profiled in there as our City Clerk and for all of her accomplishments and all of the things that she's involved in that many of us were not aware of. I just want to say how proud I am of her. You'll get reappointed in 1997.

The Chair:

Moving to Reports of Committees beginning with -- I don't think there are any committee votes actually. There are no bills until next week.

Councilman Cohen under Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Cohen:

Maybe I can add some spice to this meeting.

The Chair:

I have a matter before -- do you have a general motion or resolution?

Mr. Cohen:

My motion was just about the Roddy appointment. Is that being moved forward.

The Chair:

Well, let me submit mine first.

THE CHAIR PRESENTS:

A Resolution reappointing James C. Roddy as a member of the Allegheny County Sanitary Authority, term to expire December 31, 2001.

The Chair:

I think colleagues received a memo regarding this appointment. Apparently, it was made in error and the last vote was pretty much a temporary appointment. The actual appointment to be jointly done with the County has a specific term associated with it that's addressed the

letter from the Mayor's Office. So, therefore, the appointment is up again for consideration. I think you know how I feel about this so I'll defer to Mr. Cohen.

Mr. Cohen:

Mr. President, I was really just asking procedurally when that would be introduced. Now that it has been introduced, obviously, we've had a lot of discussion about Mr. Roddy's appointment when it came up the first time. Nothing has changed except that Mr. Roddy has served with distinction, as far as I'm concern, on the Board and I would ask that all of City Council support his nomination. I would like to see it be unanimous if at all possible because I think this Council has already debated this issue and decided it. Mr. Roddy has served well, at least, for this short period of time.

MS. MCDONALD motioned to reappointment Mr. Roddy.

MR. UDIN seconded the motion.

The Chair:

Any other discussion?

Again, I'm not going to belabor the point. I will not ask that Mr. Roddy reappear since only a brief time ago, we had a major debate in these Council Chambers. I certainly have not changed my mind. In fact, given the situation that's unfolded in the last couple of months regarding the Kane Hospital Privatization which Mr. Roddy has played a key role in, has even strengthened or reinforced my opposition to his presence on the ALCOSAN Board. I also find it interesting that Mr. Roddy, specifically, talks about patronage at ALCOSAN and

other public agencies. This is a gentleman who has, financially and politically, supported the _____ and race and a governor and was, basically, handed a very lucrative contract for prison health care which I find totally two-faced. ALCOSAN needs a committed consumer advocate on the board, but it does not need a conservative political operative on the board and I continue to remain in opposition to Mr. Roddy's appointment. That doesn't mean I don't respect the gentleman, he's made a tremendous contribution locally. If this was the board of the United Way or some non-profit agency, I would be the first to sing his praises, but that's not what this appointment is about. This is about hastening private sector activity at the public agency, ALCOSAN. I'm even more adamant in my opposition to Mr. Roddy given what's unfolded by the Commissioners in relation to Kane Hospital which I think is just the height of irresponsibility. I'm very concerned about what eventually may be the privatization and loss of needed health care for the most elderly and indigent poor within our Allegheny County area. I'll continue to be opposed to it. There's no shame or hesitation on my part in my opposition to this gentleman being on the board. So, I continue to be opposed and I'm very upset that this appointment has come back to us.

Any other discussion?
Councilman O'Connor.

Mr. O'Connor:

I didn't realize this was coming up today. As I said last time, I serve on many boards with Mr. Roddy and I have the utmost respect for his civic duty. I could not support him the first time around because of my deep concerns for

privatization of ALCOSAN. I didn't want to make the same mistake that the Mayor made before with the water. I think it was a disaster. Since then, meeting with the union officials, everyone and including other board members seems to feel that the privatization issue of ALCOSAN, at least for the moment, and everyone's admitted it, that it would be cost prohibitive if someone would buy and the taxpayers would be joust to the utmost. On that, I don't want to be accused of flip-flopping. I will support Mr. Roddy only on the ALCOSAN Board since he has done a good job so far and he's assured us and he's put it in writing that he has intention of privatizing. On that contention alone, I will support him at that this time.

The Chair:

Thank you. Any other discussion?
Roll call vote.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	

NOES:

Mr. Ferlo
(Pres't)

AYES: 7 NOES: 1

The Chair:

The motion is affirmed and the appointment is confirmed.

Under Motions and Resolutions, is there any other matter to be brought before the Body? Councilman Onorato.

Mr. Onorato:

Since we met last Wednesday, we heard about the prison break on the North Side. I just want my colleagues to know that I've been in contact with State Representative Don Walk and State Senator Jack Wager. We met last Friday and the two of them were working on something that might be called a Select Committee or some other type of committee where they will address this issue. I offered them the use of Council Chambers, if they could pull this off, to have the meeting here and not in Harrisburg. If that happens, I'll be informing you and letting everyone know when we're doing it and we can, hopefully, telecast it. It will be an opportunity for the public to ask questions but, more importantly, to have the state officials here for us to ask questions and for the State Senator and the State Representative to ask the questions since the prison is a state facility.

I'm disappointed about what I heard yesterday. I think that individual that was let go is purely a scapegoat move. I don't know the internal workings of it, but when you hear the head guard is released over an incident like that, my immediate question would be what happened to his superiors, how come they're not being released. I think it's very unfortunately. That gentleman has 20 something years with the State and I can't believe that he's going to take the brunt and the full blame of what happened over there. I would hope through these meetings and this investigation, we get down to the real issue and that is, is there proper security there and if there isn't, what are we going to do to increase security. This is purely a management

issue now. To fire one of the head guards to take the fall for this, I just think it's inappropriate at this point.

The Chair:

Thank you. Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. First of all, my understanding is that one of the escape convicts has been caught in Texas and if that is true, I do want to congratulate the officers in Texas for good police work and, obviously, it would involve the officers here in Pennsylvania as well, communicating with them. I want to congratulate them and keep up their efforts to try to get the five other escape convicts. I agree with Councilman Onorato, there is clearly incompetence that took place when six convicts were allowed to escape, it wasn't just one person. There has to be a complete and thorough investigation that results in a report that shows exactly how this was accomplished and how the mistakes that were made led to that escape. So, rather than just fire somebody as a scapegoat, we need a thorough investigation. I join with my colleague in encouraging that to happen.

The Chair:

I'm just flabbergasted that this gentleman is being let go after 25, 26 years. I think Councilman Onorato's point is well taken. Talk about passing the buck and hanging this poor gentleman out to dry. It's a nice way to totally put the media and the public and Senator Wager and Mr. Walk on notice that they should focus their attention on something else. I'm sure that's not going to be the case. I have to say that I was very impressed and

pleased that both of the elected officials, especially our State Representative Don Walk, who I saw throughout both days in the media and within the district. I think we all appreciate and want to applaud his initiatives. As well as Councilman Onorato who I know has been very active on this issue right from the beginning along with our Public Safety Chairman, Mr. Cohen. I hope that that hearing is held and I hope it's held here in the City of Pittsburgh and certainly Council Chambers is available because there's an awful lot of questions. Again, I know the Mayor came out strong with the Police Chief. I just find it unbelievable that it took three or four hours to put the City of Pittsburgh Police Bureau immediately on notice. This lame excuse about they had to go back and recount everybody, that does not make any sense to me. Even if they didn't want to have a press conference to make a former pronouncement about an escape, I cannot understand at all why there wasn't an immediate notification to the Chief of Police and to the Mayor's Office at least alerting them that there may be a situation, even if they didn't want to have a formal press conference. I think it's outrageous that they did not immediately inform the Chief of Police in the City of Pittsburgh.

I think the State's great at cover-ups and I question who's actually going to be asking the right questions. I think the Mayor under the leadership of the Police Chief here in the City of Pittsburgh, and I don't know if there's a jurisdictional issue here, but I think our own police bureau should investigate this whole matter especially the issue of when we were notified. Also, I don't think you can have that kind of activity at the jail given the amount of technology and noise and elaborate planning that went on without

others in the inside being a part and parcel to the problem. I'm skeptical about the leadership of that jail prison actually being able to lead an independent inquiry. They should be the folks that we're looking at as part of the problem. I hope that Senator Wager, Mr. Walk, our own colleagues, the Mayor, and the police chief, I think there needs to be an independent review of all the circumstances.

As of today, I have yet to hear an immediate directive being issued by the prison superintendent that something's immediately changed. Maybe I'm wrong and maybe I've missed something in the last few days, but so far, as of right now, it's not clear to me that when and if there's any likelihood of some type of an escape that we will be immediately notified. I'm not saying they should call Jim Ferlo, I'm not saying they should call the local neighborhood group or the Public Works Department, but they should at least call the Police Chief of the City of Pittsburgh to put him on notice that there may be a situation. I have yet to see that that directive have been issued. If I'm wrong on this, I'll stand corrected. We could still have a situation unfold in the next few weeks. I don't know what's changed. Anything we can do to support the inquiry, I hope it's going to be independent. It should not be led by the people at the top of the prison given their first reaction was to put this poor guy out in the pasture here who's just being hung out to dry. I hope he pursues, legally, his options because I think that's outrageous and very unfair. I hope we'll be kept abreast of when the hearing is and I hope we able to have the hearing locally.

Councilman Onorato.

Mr. Onorato:

I will report back when the hearing is set. I also want to mention, I haven't talked with him, but I heard that the new State Senator from the South Hills, Senator Murphy, who sits on the Judiciary Committee along with Senator Wager, is very interested in also having this hearing. If you know, the Republicans are in control. So, he's on the majority side which has a little more influence on having the committee. I will be calling him today to try to facilitate and let him know that the Chambers are opened to any of the state officials that want to use this facility. Obviously, they don't have to be from the City because this is a very important issue. Once that's facilitated, I will inform the President so that we have Council Chambers available and open.

The Chair:

Thank you Councilman.
Councilman O'Connor.

Mr. O'Connor:

We definitely know that there was a breakdown in communications. But, I was concerned on the hearing, if they would follow-up with any kind of emergency where is the communications in our county. Such as, remember the helicopter maneuvers that no one seem to know about. Well, I don't put this in the same seriousness. I was at a function Saturday with two police chiefs from bureaus and they get their news from one of the radio or TV stations. So, there doesn't look like there's anything really in place. I'm not excusing them, they didn't make the first call. I think we ought to review our emergency and how we coordinate that, especially it's on the Borough of Bellevue, right next door.

They could have ran to Bellevue in a few minutes. So, I think that whole emergency awareness of working as a team with this 134 municipalities. I know, working with the County, we can into a 911 together. Things like that should be under control, especially among our police chiefs. I would like some of that in the review process.

The Chair:

As you have pointed, I just hope that we're not waiting for an inquiry. This should not be dragged out. It's still unclear to me and I hope the Mayor and the Police Chief are following up on this. The prison superintendent, right now, today, must issue a directive and make it clear right now, today, independent of any formal inquiry that may happen to unfold over the next couple of months, that when and if some kind of situation arises again, that the police chief of the City of Pittsburgh and the immediate police chiefs in the effective area would be immediately notified and given, basically, a yellow alert. Whether to go back to the prison population and start counting heads or not. So, far they haven't issued that directive.

Mr. O'Connor:

Even a false alarm.

The Chair:

I think the Mayor's point was well taken. God forbid one of our officers should have been in a car and not even been aware and come upon this stolen vehicle given the situation. That's just unbelievable to me.

Any other discussion?
Councilman Onorato.

Mr. Onorato:

On a different issue. I just thought the article in yesterday's paper brought it to light again. I'm going to, probably, have a follow-up to find out where mine and yours, Mr. President, legislation to these towers. As you can see, there's another problem this time over in Councilman O'Connor's District with the radio towers. This is something that's not going away. There are so many of these going up everywhere. We introduced in legislation 6, 7 or 8 months ago, I want to find out where that is because we can't wait --

The Chair:

We will be having a public hearing in Council on all three bills, your bill, my bill and whatever the Planning Commission came up with. We did set a public hearing before Christmas but, unfortunately, it conflicted with another Planning Commission Meeting. So, we're rescheduling it and it will be in about two and a half weeks.

Mr. Onorato:

But, I'm also going to double check it. I hope and pray that there has not been any new permits issued because there should be a moratorium on any new towers since we introduced those bills. If I find out that there's been anything granted, that is in direct violation of the law and I hope that's not the case. It appears that these towers were put up before the legislation, but it's creating a major blight and now it's starting to interfere with people's comfort in trying to live in their homes. So, something has to be done here. It's not about just Spring Hill and

Councilman Onorato complaining about my district on the North Side, these are being spread everywhere. It's something that we have to have a uniform policy and be willing to say, only so many. I just want to point out, if anyone drives out to the North Side/ Reserve Township border, you will now see another 900 foot tower right next to WPGH's 900 foot tower. So, we have two standing next to each other about 5 feet apart, 900 foot towers. There's another 840 foot tower being built in Spring Hill. When are we going to stop this? We have a lawsuit there, but I think this Council's got to take a stronger stance sooner or later to stop the proliferation of all of these towers that are going up.

The Chair:

I also think we need an update and I would ask the Clerk's Office to communicate to Mr. Brown and others. I know, at least in my district, we didn't have a tower, but taken off on your earlier suggestion about using existing buildings and structures, I know within the Lawrenceville, Butler Street coordinator, one the larger buildings now houses a cellular radio, it's not a tower, but a radio wiring of some sort as well. Across the street from my house, the public school also now houses, apparently the school board must have bid out the use of their buildings to these cellular phone companies. We need an update. There's a lot of existing buildings that now seem to house these radio transmission apparatus of some sort or another. It still brings into question whether or not we need the proliferation of so many of these towers in the first place. In conjunction with that zoning hearing that we will schedule, we need an update from the Zoning Board on the various applications that have been

approved even within the existing zoning code.

Mr. Onorato:

We also need an update from General Services. This Council has supported unanimously my resolution to put this up for bid. I have no idea where that stands. We gave the directive to the director to bid this and I hope that the bids out there.

The Chair:

I would ask, then, in preparation for that hearing and/or the post-agenda that Mr. Udin will be chairing on the Telecommunications that we try to get an update from Director Miscovich on that resolution that Mr. Onorato introduced also.

Councilman O'Connor on another matter.

Mr. O'Connor:

Yes. I want to remind Council that after today's meeting that we have a post-agenda with the City Controller's Office concerning the EMS audit.

The Chair:

Again, immediately following this, there will be a post-agenda regarding the audit. I believe also the Administration EMS Bureau as well as the Controller's Office has been invited to attend. I believe that's happening immediately following this session.

Any other matter to be brought before the Body?

Hearing none, this legislative
session stands adjourned.

Stenotype Reporter:
Transcribed by: Lenora Johnson

MUNICIPAL RECORD

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, January 21, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Mr. O'Connor	Mr. Ferlo
	(Pres't)

The Chair:

Good morning everyone. One of our colleagues, Councilwoman Valerie McDonald, is in Washington, D.C. and she will be back here in Chambers later on this evening. So, we're excusing her today on official business.

Would you all please rise for the Pledge of Allegiance and would you please remain standing for moment of silent prayer so that we may have peace throughout the world.

We're very pleased to have a young student here today. He's in the fourth grade and 10 years old. His name is Walter Muehlbauer. Walter is going to lead us in the Pledge of Allegiance. His dad, Mark, is here. We're very honored this morning to have the Principal of Arlington School here, Mr. Jacob Misinger. I'm very honored to have you here. We don't often get a republican principal here. Walter is going to lead us in the Pledge of Allegiance.

Walter Muehlbauer:

I pledge allegiance to the flag of the United States of American and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you Walter. We appreciate you coming down here today with your dad and the Honorable Principal from the Arlington School. He's welcomed in these Chambers anytime. Our City Clerk has presented you, Walter, with a flag of our great Nation and a flag of our City. We want to thank you and your dad for coming down here this morning.

We have a number of guests in the audience this morning. At this time, I'd like to call on my colleague, Councilman Dan Cohen.

Mr. Cohen:

Would Joedda Sampson and friends and family please come up. Mr. President, members of Council and members of the audience, this is a Proclamation that I'm proud to present to a Pittsburgh treasurer. To that, I'm not referring to the Gwinner-Harter House that was just restored, but rather to the person who restored it and that is Joedda Sampson. She is, in fact, a Pittsburgh treasurer. I suppose I could be narrow minded and say that she's an East End Treasurer because she has done so much in the East End recently and we stole her from the North Side, Dan. Actually, she's a Pittsburgh Treasurer because she's done so many things throughout the City of Pittsburgh. I'd like to read this Proclamation and, then, introduce the people who are here.

MR. COHEN PRESENTS:

No. 1535 WHEREAS, the Five Thousand Block of Fifth Avenue in Shadyside, between Morewood and Amberson Avenues, is the only intact block of what was once known as Millionaire's Row in the City of Pittsburgh, and

WHEREAS, almost ten years ago, the oldest of the three homes on Millionaire's Row, the 1870 Gwinner-Harter Mansion, caught fire during restoration, completely destroying the third floor and much of the second floor, and

WHEREAS, for several years after the fire, the house stood uninhabited, its once lovely exterior damaged and neglected, and

WHEREAS, much to the delight of the neighbors and all who travel this route,

6 days before the 1995 scheduled demolition of this grand old home, Joedda and Benard Sampson bought the Gwinner-Harter Mansion and restored it to its current beautiful condition, and

WHEREAS, Joedda Sampson is no stranger to restoring beautiful yet damaged buildings - between 1974 and 1994, she restored no less than 10 buildings all over our City, from the North Side, to Bloomfield, and now in Shadyside, and

WHEREAS, aside from the actual restoration of homes, Joedda Sampson has turned her considerable talents to a variety of business pursuits, from running a restaurant cum antique shop (Cafe Victoria on the North Side), to managing a wedding reception - party - event center (Victoria Hall in Bloomfield), to operating a clothing store (Full Moon Rising in Station Square), to founding an advertising agency (JMS Advertising), and

WHEREAS, while actively tending to nine children, step and otherwise, Joedda Sampson found it within her heart to volunteer and lead such worthy organizations as the Community Design Center of Pittsburgh, the Pittsburgh History and Landmarks Foundation, the Allegheny Historic Preservation Society, Pittsburgh Chapter of the Victorian Society, Preservation Pittsburgh, and Calvary United Methodist Church, as well as to open her current home to at least 7200 people for various charitable causes.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends Joedda Sampson for a professional life dedicated to the preservation of important Pittsburgh architecture and for her other tremendous contributions to the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh declares January 21, 1997 to be "Joedda Sampson Day" in the City of Pittsburgh.

MR. UDIN motioned to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Cohen:

I can't tell you how much we appreciate all that you have done, Joedda. The Gwinner-Harter Mansion, you took an eye sore and turned it into a sight for sore eyes. Not only that, you provided Shadyside with a great contribution by allowing it to be part of the Shadyside House Tour just a few months ago. It turned what was otherwise a successful house tour into a phenomenally successful house tour. Before I give this to you, I'd like to ask the current president of the Shadyside Action Coalition, Bob Schlesinger to come up and say a few words.

Mr. Schlesinger:

Thank you Dan and yes, the house tour was the symbol of Shadyside's progress and its continued efforts to be a great part of the City of Pittsburgh. Certainly, Joedda Sampson made a great contribution to that. For a while I was selling tickets and people would come up and say, I know it's late but I just want to see the Joedda Sampson house. We have great pleasure in thanking her for her efforts and her generosity. She certainly has given many tours through the house and it's been a grand, grand site.

Shadyside appreciates her efforts. Thank you.

Mr. Cohen:

I guess it's no longer going to be called the Gwinner-Harter Mansion, it's the Joedda Sampson House. Let me just identify the other people who are here. The neighborhood folks first, and that is, Henry Hopstad, we're very happy to have you here. Henry is the President of the Morewood Shadyside Civic Association. He also happens to be the next door neighbor of Joedda Sampson. Henry thank you for being here. Maureen Frumen who many in this room already know. She is also the democratic committee woman for that area of Shadyside and, of course, a hard worker for the Mayor. Now, let's get to family and friends. Joedda's daughter, Davin, Davin if you could step forward. Thank you very much for being here. Joedda's mother, Laura Bockman. Let's here a hand for her mother. Her step-father Clere Bockman, thank you for being here. Her step-daughters, Donna Tuche, Deana Schmidt and Alice Drake. Do you have any other family members?

Ms. Sampson:

My grandson, Brian.

Mr. Cohen:

Her grandson, Brian, thank you for being here. Also, friends and associates of Joedda, Tim Scheccer who runs the Victoria House, Bed and Breakfast. Bamba Morton who runs Victoria Hall. Charles Crouch who runs Joedda's cafe. Charles thank you for being here. Rita Formhalls who's Joedda's bookkeeper. Fritz Denard who is a good friend. Joe

Ladderman who runs Northern Lights on the North Side is also a friend. Anthony Falcone who is the Chef of Victoria Hall. Rebecca Iszacosky who runs Full Moon Rising. Is there anybody that we forgot here? Thank you all for being here. What I'd like to do now is the most important part of this and that is to present this Proclamation to you Joedda. Thank you so much for all your contributions to the City of Pittsburgh. Congratulations.

Ms. Sampson:

Well, obviously, as you've heard, I have worked really hard and the picture for preservation of Pittsburgh is so big that I never feel like I'm making a dent. It always seems like I'm not getting anywhere for how much effort I put out. It really means a lot to me, it's a very important day for me to get this kind of recognition. It makes me feel that, apparently, I'm made some difference to somebody and people are paying attention. I appreciate that recognition. It means a lot for my achievements. I think it'll be very motivating. It takes a whole army like this to keep me through a day. This is only half of them, but I think this will motivate me to do even more. Thank you so much.

The Chair:

Thank you. Again thank you all for coming down and congratulations to Joedda and her family for their outstanding work here in the City of Pittsburgh.

Are there any other Proclamations to be presented this morning.

Moving to Presentation of Papers, beginning with the Committee on Public Safety Services, Councilman Cohen.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Councilman Cohen.

PRESENTATIONS

MR. COHEN PRESENTED:

No. 1536 Resolution requesting permission to periodically transfer funds from Code Account 1421-4, EMS Trust Fund Transfer, to Emergency Medical Services Trust Fund (EMSTF), for wages for EMS paramedics, crew chiefs and supervisors.

Which was read and referred to the Committee on Finance and Budget.

Also,

No. 1537 Resolution providing for a contract or contracts from time to time in connection with the demolition and removal of condemned buildings and providing for the payment of the costs thereof, \$150,000.00, payable from CPF, PeopleSoft Fund 5100, Organization 274300, Appropriation PGHPR, Year 1997, Project 22110011, Account 526500.

Also,

No. 1538 Resolution providing for a contract or contracts from time to time in connection with the demolition and removal of condemned buildings and providing for the payment of the costs

thereof, \$550,000.00, payable from Community Development, Peoplesoft Fund 2610, Organization 274300, Appropriation C1997, Year 1997, Project 2210011, Account 526500.

Which were read and referred to the Committee on Public Safety Services.

The Chair:

Councilman Cohen for Mr. Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Cohen:

No papers, Mr. President.

The Chair:

Thank you. Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

MR. HERTZBERG PRESENTED:

No. 1539 Resolution providing for an extension of Lease Agreement with DiNardo Limited of certain indoor and outdoor space for a term of five (5) years, at a cost of \$1.00 per square foot annually. The space will be used for offices space, storage of equipment and storage of vehicles for the Department of Public Safety.

Which was read and referred to the Committee on Lands, Buildings & Procurement.

The Chair:

Councilman Hertzberg for Councilwoman McDonald, Committee on Housing, Economic Development and Promotion.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman.

MR. HERTZBERG FOR MS. MCDONALD PRESENTED:

No. 1540 Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of HUD for a grant in connection with the 1997 CDBG Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories.

Which was read and referred to the Committee on Housing, Economic Development and Promotion.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bills only until or after the calendar day following the meeting in which the bill

was introduced so the bill will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you Councilman.

MR. O'CONNOR PRESENTED:

No. 1541 Resolution amending Resolution No. 1017, effective January 1, 1997, entitled, "Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions, by increasing the number of positions within the Bureau of Fire, Department of Public Safety".

Which was read and referred to the Committee on Finance and Budget.

MR. O'CONNOR moved to suspend Rule 8 by providing for consideration of the bills only until or after the calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman.

MR. ONORATO PRESENTED:

No. 1542 Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning, District Map No. 7, by changing from "R2" Two-Family Residence District to "C1" Neighborhood Retail District, all that certain property bounded by Virginia Avenue, Maple Terrace, Lots numbered 116, 98, 100 and 101, Block 4-F in the Allegheny County Lot and Block System, Kearsarge, and Grace Street, 19th Ward, Council District 2.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

MR. ONORATO moved to suspend Rule 8 by providing for the consideration of the bills only until or after the calendar day following the meeting in which the bill were introduced so the bill will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Councilman Udin for Mr. Ricciardi, Committee on Public Works, Water and Environmental Services.

Mr. Udin:

No new papers for Mr. Ricciardi, Mr. President.

The Chair:

Thank you Councilman. Councilman Udin, Committee on Finance and Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

MR. UDIN PRESENTED:

No. 1543 Resolution providing for the advertisement for proposals and to award and enter into an agreement or agreements and/or contract or contracts or use of existing agreements and/or contracts for upgrades to the City's existing information system infrastructure for the purchase to include equipment, supplies, communication, hardware, and software, at a sum not to exceed \$50,000 chargeable to and payable from Account 540800, Fund 5100, Organization 103300, Sub-Class 350, Project/Grant 2251003, Budget Year 1997.

Also,

No. 1544 Resolution providing for a contract or contracts or use of existing contracts for the acquisition of

software maintenance and upgrades for PeopleSoft Software, at a cost not to exceed \$304,000.000 for the Bureau of Information Systems, Department of the Mayor, payable from Index Code 104307, Account 525120, Miscellaneous Services-Main-Misc.) Fund 1000, Organization 103300, Sub-Class 150, Budget Year 1997.

Also,

No. 1545 Resolution providing for a contract or contracts or use of existing contracts for the provision of analysis, design, development, programming, feasibility, development, enhancement or implementation of automated systems for various City Departments and providing for the payment of the costs thereof, not to exceed \$30,000.00 chargeable to and payable from Index Code 104307, Account 526100, Misc. Services-Professional), Organization 103100, Sub-Class 150, Budge Year 1997.

Also,

No. 1546 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Thank you. The Chair has no papers at this time to present. That concludes our Presentation of Papers.

Are there any matters under Unfinished Business or Reports of Special Committees?

Councilman Udin do you have any follow-up on our cooperation with the Administration on the Block Grant Issue? I'm not sure where we're at on that.

Mr. Udin:

Yes, there was a bill that was submitted today. It's been Ruled 8 and we'll discuss it at the Standing Committee tomorrow.

The Chair:

Thank you very much. Any other matter?

If not, moving to Reports of Committees, Committee on Finance and the Budget, Councilman Udin, Chair.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman.

REPORTS OF COMMITTEE

MR. UDIN PRESENTS:

Bill No. 1547

Report of the Committee on Finance and Budget for January 15, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1513 Resolution providing for the issuance of a \$1,383.00 warrant in favor of Elodia Di Benedictis in settlement for claim for property damage due to sewer back-up.

Also,

No. 1514 Resolution amending Resolution No. 760, effective October 21, 1996, to change the Ordinance No. and the date the City of Pittsburgh acquired the property which currently reads, Ordinance No. 55, March 25, 1926 to corrected read, Ordinance No. 74, February 13, 1925.

Also,

No. 1515 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act. No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 1520 Resolution transferring the amount of \$7,000.00 from Code Account 1001-2, Salaries & Wages, as needed, City Council, Account 511000, Sub-Class 010, Organization 101120, to Code Account 1001-1, Miscellaneous Services, City Council, Account 525500, Organization 101100, both within Fund 1000 for the budget year 1997. This transfer is necessary to pay expenses relative to district offices in Council District No. 2.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills, will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Mr. O'Connor	Mr. Ferlo
Mr. Onorato	(Pres't)

NOES:

AYES: 7 NOES: none

BILL NO. 1514

AYES: 6 NOES: 1

The Chair:

All of the bills having received the legally required number of votes have been approved finally.

Committee on Public Works,
Water and Environmental Services,
Councilman Ricciardi, Chair.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you Mr. Ricciardi.

MR. RICCIARDI PRESENTS:

Bill No. 1548

Report of the Committee on Public Works,
Water and Environmental Services for
January 15, 1997 transmitting sundry
resolutions to Council.

Which were read, received and filed.

Also, with an affirmative
recommendation.

No. 1506 Resolution providing
for an agreement or agreements with the
Commonwealth of Pennsylvania,
Department of Transportation for the
installation, maintenance and energizing of
highway lighting on the Boulevard of the
Allies.

Also,

No. 1507 Resolution granting
unto Michael S. Bearer, 603 Tara Drive,
Pittsburgh, Pennsylvania 15237, his
successors and assigns, an encroachment
to construct, maintain and use at his own
cost and expense, a handicap ramp on a
portion of the sidewalk on Woodland
Avenue in the 27th Ward, 1st Council
District of the City of Pittsburgh.

Also,

No. 1508 Resolution granting
unto Andrew J. Kubiczki, 18 Hackstown
Street, Pittsburgh, Pennsylvania 15203, his
successors and assigns, an encroachment
to construct, maintain and use at his own
cost and expense, a concrete slab, house,
deck and porch on a portion of the right-
of-way on Unnamed Way and Hackstown
Street in the 17th Ward, 3rd Council
District of the City of Pittsburgh.

Also,

No. 1509 Resolution granting unto Union Grill, 413 South Craig Street, Pittsburgh, Pennsylvania 15213, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area at 413 South Craig Street in the 4th Ward, 8th Council District of the City of Pittsburgh.

Also,

No. 1511 Resolution granting unto Jerome J. Segal and Monica Zettler-Segal, 967 Macon Street, Pittsburgh, Pennsylvania 15219, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a fence on a portion of the right-of-way on Macon Street in the 14th Ward, 5th Council District of the City of Pittsburgh.

Also,

No. 1512 Resolution granting unto Fort Hill Development Company, 2303 Salisbury Street, Pittsburgh, Pennsylvania 15210-1846, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the right-of-way at 2318 Arlington Avenue in the 16th Ward, 3rd Council District of the City of Pittsburgh.

The Chair:

You have heard the reading and titles of the bills, is there any discussion? Councilman Hertzberg.

Mr. Hertzberg:

Mr. President I'd like to have my comments be brought forward on Bill No. 1506.

The Chair:

Thank you. Any other comments?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills, will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Mr. O'Connor	Mr. Ferlo
Mr. Onorato	(Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

All of the bills having received the legally required number of votes have been approved finally.

Committee on Planning, Zoning and Land Use, Councilman Onorato, Chair.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman Onorato.

MR. ONORATO PRESENTS:

Bill No. 1549

Report of the Committee on Planning, Zoning and Land Use for January 15, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1505 Resolution approving a conditional use exception under Section 993.01(a)A(20) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to the Pittsburgh Board of Public Education for authorization to convert an existing three-story structure located at 3530 Fleming Avenue into a middle school with a projected occupancy of 356 students, with parking for 51 automobiles, on property zoned "R2" Two-Family Residence District, 27th Ward.

The Chair:

You have heard the reading and title of the bill, is there any discussion?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill, will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Mr. O'Connor	Mr. Ferlo

Mr. Onorato (Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

The bills having received the legally required number of votes, have been approved finally.

Councilman Hertzberg for Councilwoman McDonald, Committee on Housing, Economic Development and Promotion.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman.

MR. HERTZBERG FOR MS. MCDONALD PRESENTS:

Bill No. 1550

Report of the Committee on Housing, Economic Development and Promotion for January 15, 1997 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1504 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the following Publicly-Owned Property in

the City of Pittsburgh, 6th Council District.

The Chair:

You have heard the reading and title of the bill, is there any discussion?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill, will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Mr. O'Connor	Mr. Ferlo
Mr. Onorato	Mr. Ferlo
	(Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

The bill having received the legally required number of votes has been approved finally.

Committee on Parks, Recreation and Youth Policy, Councilman Cohen for Mr. Cusick.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Councilman.

MR. COHEN FOR MR. CUSICK PRESENTS:

Bill No. 1551

Report of the Committee on Parks, Recreation and Youth Policy for January 15, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1502 Resolution authorizing the Director of Department of Parks and Recreation to enter into an agreement or agreements in individual amount of \$10,000.00 or less with various performers, instructors, artists, and other persons with specialized skills in connection with the Department's various recreational and instructional programs for the calendar year 1997.

The Chair:

You have heard the reading and title of the bill, is there any discussion?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill, will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Mr. O'Connor	Mr. Ferlo

Mr. Onorato

(Pres't)

NOES:

AYES: 7 NOES none

The Chair:

The bill having received the legally required number of votes has been approved finally.

That concludes our Reports of Committees. Under Motions and Resolutions, are there any matters to be brought before the Body?

I did want to report that we have a cable cast post-agenda meeting, hopefully immediately following this or whenever we can re-establish the cameras and the video presentation. This is a meeting involving issues involved with the proposed expansion of the Convention Center downtown. I think it's timely. This grew out of a request of the Greater Pittsburgh Convention and Visitor's Bureau to meet with Council individual, I thought it would be a lot easier if they just met formally with all of Council or those who are able to attend. They have a formal presentation. I think the post-agenda is timely.

I'm very concerned about the whole issue of the sale of the State Liquor Stores as somehow financially to support the so-called baseball and new stadium or the convention center. I think this meeting today is timely relative to those advocates, including myself, who believe strongly in the economic indigent that the Greater Convention Center would represent for the economy of the City of Pittsburgh and the region. I'm very concerned about where it stands on the priority list of this

Administration, URA, the State House and the State Senate. Personally, I've said in the past, from an economic point-of-view, I feel it's a greater priority than the notion of a baseball new stadium and/or resolving the football issue with the Rooneys which I think can be done with an economic development agenda. I'm very concerned that the convention center is getting lost in the shuffle. In any event, those will be some of the issues that we discuss today with the representatives. We've invited some other interested parties here today that in some way have been advocates or have spoken on the issue of the convention center including, obviously, the Mayor's Office and their representative.

I also want to point out that in the last couple of weeks, I've been woken up to a couple of radio stations listening. In the early morning, the radio ads being run by the Convention Center. I got to think that anytime the Convention Center is running radio ads to rent rooms, it's usually a good indication that they're failing in renting the Convention Center appropriately for what it's intended. It's not suppose to be a place for weddings and communions, it's suppose to be a convention center for indistination of major conferences and meetings. Anytime I hear radio ads promoting the availability of the Convention Center, I believe it's because the Convention Center's staff is probably having to try to build the gaps of a convention center that's not being adequately filled by the Greater Pittsburgh Convention and Business Bureau. Up until this day, like some of my colleagues who continue to be confused about the role of the Convention Center and the bookings versus the Greater Pittsburgh Convention Visitor's Bureau, there seems to be a lot of animosity and tension between the two groups. It just doesn't make any sense to

me. Today should be an interesting meeting.

Any other comments on this issue?
Councilman Ricciardi.

Mr. Ricciardi:

I'll be very brief since, obviously, we're going to have a post-agenda on this. I just want to thank you for the initiative in setting up this meeting because I think there's a lot of issues to talk about. Obviously, we have to be very informed before we make some statements. I believe Mr. Kesol in terms of looking to fill the Convention Center even during the off peak in terms of offering it to the Western Pennsylvania for weddings is a good idea. I take just the opposite viewpoint of yours. I think we have to meet with him. I'm also concerned, as I've stated in the past Mr. President, yes, I put this down as a high priority. I've stated publicly and it's been printed that I put this down even as a higher priority than a baseball stadium. But, at the same time, I'm very pleased that you mentioned the funding aspect because that's something I'm very concerned about. I'm opposed to and I will continue to oppose selling the state stores in order to fund any type of public facilities including the expansion of a convention center. I'm looking forward to this very brief, as you've stated, post-agenda. I'm very pleased that we're going to touch upon the funding aspect also.

The Chair:

Again, just to clarify my comments because the last time I made a comment about the convention center I made an article in the paper about food. In due respect, I think Mr. Kesol is, basically,

working hard not only as a confident director, but I think recognizing that the Convention Center is not being rented, I think he, on a practical level, given the obligations he has to staff the convention center and the debt service and the burden that he has. I think he's acting appropriately to try to rent it in whatever way he can. My observation, however, is that if you're going to have a wedding, have it at the William Penn the Hilton or your local Moose. The priority for the rental of the convention space, given the high cost of the operation of such a building, is to have major events, meetings, convention center destination type of events. Anytime it's being booked for smaller events, it's an indication of the fact, to me at least, having looked over the records, that it's been renting as a result of not having to host a major event. We didn't spend the millions and millions that we've already allocated for the convention center to have it be meeting the venue that the Hilton, the William Penn or the local Moose or the Union Hall is meant to be.

Councilman Onorato.

Mr. Onorato:

I want to thank you for having the post-agenda because I probably have a little different view than you and Councilman Ricciardi. This is not my first priority for funding and from all the facts and the stats that I've read and I will bring them to the meeting today, the ones that I have in the office, this could be one of the worse things that we do, expand the Convention Center at this time. The Wall Street Journal did a story about six months ago showing the amount of space on the market and how other cities have expanded. There's so much convention space out there that cities are just under

cutting each other and no one is even coming close to breaking even anymore. I think that's an issue that has to be debatable before we spend any money. When we look at stadiums versus convention center, what truly is good for the region. We'll never be a San Francisco or a New York City or an LA. When you compare it do Columbus and all the other Columbus' of the world and of the United States and how many big convention centers there are, we'll just be one of many. My big question today, and I'm glad I'm finally getting to ask it with all the appropriate people in the room is, why can't we even fill the one that we have. We should be the best of the small market as far as I'm concerned. We should have the best small market convention center in the United States and we can't even fill it for small markets. So, obviously, there's a marketing problem. I want to get to the bottom of that before I even consider expanding a building, until they show me it's bursting at the seams and we need more space.

The Chair:

Those are exactly some of the issues I hope to get to. Again, we're always going to look to be a Columbus unless we look to be a San Francisco. Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. I know we're entering to a post-agenda, but you opened the door so I'm going to walk through it. I do, respectfully, disagree with my colleague. I would like to see the research that he has. Having served on the Pittsburgh Convention and Visitor's Bureau for several years now, I see every month at the meetings how many

conventions we turn away not because the current convention center has anything wrong with it except that it's not big enough. We turn conventions away because we don't have enough square footage, it's as simple as that. Pittsburgh has 131,000 square feet. We're not competing with New York, Los Angeles or Chicago, we can't even compete with Cleveland. Cleveland has 308,000 square feet, Baltimore 300,000 and as you said, Columbus 306,000. Part of it is just a matter of size. The other part of it is it doesn't take advantage of the fact that it's on the river. We have it all over those cities when it comes to the location of our convention center. At least, for me, it is a top priority. I look forward also to this post-agenda because I was just put on the Auditorium Authority which oversees the convention center and would like to have Council's advice as to how they'd like me to represent them on that board.

The Chair:

Mr. Onorato, brief on the point and, then, Councilman Udin.

Mr. Onorato:

Councilman Cohen might have misunderstood what I said. I know that we're missing out on large conventions. My question is why aren't we booking the ones that fit our size. They're out there, there are small conventions in this country. We're not even booking those and I want to know why we're not.

The Chair:

Those are some of the issues I hope that we can get to. Councilman Udin.

Mr. Udin:

I just urge the President to retrack any notion that this is going to be a brief post-agenda.

The Chair:

I only said that for Mr. Ricciardi's sake. He always think I'm too long winded.

Mr. Udin:

Unless we're ready to begin the post-agenda at this table, Mr. President, I would suggest that we defer all further debate until the post-agenda.

The Chair:

Thank you very much.
Councilman Hertzberg.

Mr. Hertzberg:

On the issue on the Governor's proposal to sale the liquor stores in order to fund whether it'd be an expanded convention center, new stadium or stadiums. With that connection and Pittsburgh being so heavily involved, I think it's essential that City Council voice it's position in a formal manner to our state representatives, our state senators and the Governor. I think that we all feel the same way. That's what I gather from all the remarks that have been made. That we're all opposed to that as a funding source. I know Councilman Ricciardi's been outspoken on that. I'd suggest that maybe he'd like to draft something. If he wouldn't, I will or I can assist him and anyone else in drafting a formal resolution to Council. Councilman Ricciardi has indicated an objection based on what would happen to those that are currently

employed. I think, more important to me, and that's very important to be but even more important to me, is the potential of death and injury that would result from the state getting out of that business. I think it's been documented statistically in a manner that no one can argue with. I'm happy to see and I think that the rest of Council agrees that that's the wrong way to go. I think we need to formally state that because Pittsburgh's being cited as a reason for doing all of this. We're looking for funding for a stadium and we're looking for funding for an expanded convention center. Well, we need to them, hey, we don't agree with this source.

The Chair:

Thank you. Again, I know we're going to have the meeting. But, again, it goes back to equity and politics. When the Philadelphia baseball team needed \$8,000,000.00, they got it from the state, we had to float a bond issue. When they wanted a new and improved convention center, they got it from the state. We have to agree to sell the state stores in order to resolve this. It's just not fair. It's about politics and it's about some leadership on the part of the state senate and state house delegation to Pittsburgh and the region. The convention center, unlike the Pirates, doesn't just help the City of Pittsburgh. When rooms are rented, it helps Moon Township, Beaver County, and points east, north, west and south of the City of Pittsburgh. So, there's a lot of economic activity that's generated from the booking of major conventions here.

Mr. Hertzberg:

I've never met either a social drinker or an abusive drinker that really

has a serious problem having a drink when they choose to in this state.

The Chair:

Any other discussion? Last word Councilman Cohen.

Mr. Cohen:

It's really on an unrelated issue, Mr. President.

The Chair:

Okay, again, that post-agenda will be beginning about 11:30. Councilman Cohen on an unrelated issue.

Mr. Cohen:

Mr. President, I did want to make a comment about the prison issue and that is to congratulate the various police forces and the FBI for capturing the four escaped convicts. The capture, of course, is the beginning and not the end of the process of solving problems at the prison. Councilman Onorato and Representative Don Walko and State Senator Jack Wagner had been very active on this issue. The more we hear about what occurred there, the more it looks like it's a shoddy operation at the prison. The prison is suppose to be a place to protect public safety but, in fact, it's a potential threat to public safety if these reports we hear are true. I would like to ask you as President to send a letter to the Head of the Department of Corrections just to ensure that the City of Pittsburgh is part of this investigation. I hope this is a thorough investigation, I hope that there's no politics involved and that it uncovers all issues. But, the City of Pittsburgh be part of this, that we receive a copy of the report

and that the issue of notice to the City police is included in that investigation. I do know that the Chief of Police met with the head of the prison and certainly that's a good start. We have got to be included and, moreover, they have got to clean up their act over there. It is a real serious problem. I just want to make sure the City is involved.

The Chair:

Thank you. We'll send it on behalf of the Body. We'll share it for signatures and reiterate Mr. Onorato's point about utilizing Council Chambers for any senate committee hearings and the like. Councilman Onorato.

Mr. Onorato:

On the same issue. As you've pointed out, on Thursday of last week, there was a committee meeting at John Morrel Elementary School in Brighton Heights. It was the Brighton Heights Citizen's Federation Meeting and all the top officials from the City, the Chief of Police, the Assistant Chiefs and a lot of the commanders were there. Along with superintendent of the penitentiary and the head of the guard's union, Senator Jack Wagner, Representative Walko and myself were all upon the platform to answer some questions. The community had a chance to ask questions and to hear from the superintendent of the prison and what happened. At the same time, there's another meeting at the end of the month at Bethel Assembly Church which is the other end of the 27th Ward on the North Side, Marshall, Shadeland area. There's another hearing and everyone is invited to attend. I don't have the date on me, but I will pass it around today in a memo. The North Side is, at least, getting an

opportunity to hear from the prison officials. It doesn't mean that we like the answers.

I pointed out last week and I'll point it out again, I still think it was wrong that this individual has been released and I'm still not sure why this individual was released after 27 years with the prison. It looks like he the fall guy for what happened. No one has actually explained what he did to be fired or released or forced into early retirement or whatever you want to call it. If that individual was that outrageous in what he did, if that's the truth, then were are his immediate superiors and what were they doing. No one wants to talk about that. A lot has to happen and I know Senator Wagner just came out yesterday really criticizing the top individual there. I applaud him for that because I think he recognizes also that you can't pin this on some underlink for running the prison. There's somebody that runs the prison and they have to be accountable for everyone and everything that happens there. Hopefully, through the investigation, this will happen. We're still trying to work out coordinating the state investigations on this side of the state, in Western Pennsylvania. As soon as we have that confirmed, I'll let everyone know.

The Chair:

Councilman Udin and, then, Mr. O'Connor.

Mr. Udin:

Yes, I would think, Mr. President, that this presents an opportunity for us to discuss more than just better ways to make prisons more secure. I think that the purpose in prisons, originally, was to be a

rehabilitative place. I think that if we're going to look at the way the prison are being run, it gives us an opportunity to make some recommendations about how the institutions can be more rehabilitative and more productive so that the recidivism goes down and we are trying to do something in a preventive way rather than just building more prisons and making them more secure and building the walls higher, and higher bobwire. We have to start being smart and thinking about how we can stop people from going through this cycle of into prison, back out into crime, and back into prison, that makes no sense.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I attended the meeting that Dan was talking about last week on the North Side. I get a lot of conversation. It was almost a comedy of errors especially a tower that hadn't been fixed. Probably the single most issue that comes to mind, is everyone asked me on the streets and at that meeting, why would you have prisoners, two of them convicted murderers, walking around in street clothes in a prison. One lady in Bellevue some six men in a car with a broken glass window, but they were street clothes so she didn't think other, she thought there was a problem, but just couldn't put it together. Had they been in orange uniforms or prison clothes or stripes, they would have been caught immediately. I think one of the most curious things on everybody's mind is why are these people walking around in street clothes, convicted murders, in a prison. I think that's some of the things when you say start at the top,

what kind of institutions are we running here and how safe are the people who live, especially on the North Side, who live right across the street and very close. It's one of the subjects and there were many, many more. As I said, it was almost a comedy of errors, all the mistakes. I don't think they could have made a B movie this bad. Again, I agree with everyone, they should start at the top. I think whoever's running these institutions should really take a hard look at everything from those types of things and to the rehabilitation issues.

The Chair:

Maybe some of the administrators should be in uniforms for awhile. Any other discussion?

Hearing none, this legislative session stands adjourned. We will start the post-agenda at 11:30. Thank you.

Stenotype Reporter:
Transcribed by: Lenora Johnson

MUNICIPAL RECORD

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, January 28, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

The Chair:

Mr. Cohen:

Members of Council and members of the audience who are left. This is a very, very special day. Councilman Ferlo and I are both sponsoring this Proclamation for a wonderful, wonderful police officer, Kurt Kondrich. On City

Council several years ago, we debated the issue of bringing community oriented policing to Pittsburgh. We talked about the need to have cops walking the beat again. We talked about needing police officers who are always visible, who are friendly and helpful to the community, who work well with all segments of the community, and who go beyond the call of duty whenever there's a dangerous condition. We brought community policing here to Pittsburgh and the person who, in my view, reflects that police officer who is always involved in the community, always helpful and does a terrific job is Kurt Kondrich. This is a very, very special day. I'm not bringing him up here because he happens to be Bloomfield's community oriented police officer, although that helps, but because he does reflect the best of what our police bureau has to offer. With that I'd like to read this Proclamation.

MR. COHEN PRESENTS:

No. 1552 WHEREAS,
Community Oriented Police officer Kurt Kondrich has been walking the beat in Bloomfield since the inception of the C.O.P. program in 1993, and

WHEREAS, Officer Kondrich is very visible in the Bloomfield community, making frequent stops at the businesses, schools, and the senior citizen center, and

WHEREAS, Officer Kondrich is the ideal C.O.P. officer, in that he works with all responsible segments of the community, is always helpful of people in

need, and takes courageous action when necessary to protect public safety, and

WHEREAS, Officer Kondrich's professional attitude and appearance on the Liberty Avenue business district and excellent relationship with the Bloomfield Business Association members has helped make Bloomfield an upscale and vibrant place to do business, and

WHEREAS, Officer Kondrich serves on the Advisory Board of the Bloomfield Citizen's Council who presented him with the BCC's Extra Mile Award, and

WHEREAS, Officer Kondrich fulfills the goals of the Community Oriented Police program through his willingness to go above and beyond the call of duty in service to the Bloomfield community.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate Officer Kurt Kondrich on his service to the Bloomfield community and declares January 28, 1997 to be "Kurt Kondrich Day" in the City of Pittsburgh.

MR. RICCIARDI motioned to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Cohen:

In case nobody believes it, here it is right here. This is already published in the Plum Newspaper. I'd like to identify people who are here. I realize there are so many and I'll probably not catch all of

you, but there are certain people that I'd very much like to acknowledge. That is, of course, his family first. Margie Kondrich who is Kurt's wife, congratulates; Ted and Marsha Kondrich, Kurt's parents. Ted works with the Election Department of Allegheny County, thank you for being here. Mary Madis and she told me, you better acknowledge me because I'm Kurt's mother-in-law. We have Keith and Helen Kondrich who's Kurt's brother and sister-in-law; Marla Brasher and Mark Brasher who's Kurt's sister and brother-in-law; Tonya Bozack, Kurt's sister; Helen Kondelinka, Kurt's aunt; Grace Aselta who's a friend of the family; Charles Hart, a friend of the family; Joe Marzow, friend of the family; I'm trying to get family and friends first; Lee Brown who's a friend of the family. If there are other friends of the family and I didn't acknowledge you, my apologies. We also have here the Head of the Bloomfield Citizen's Council, Janet Scalien and also other members from the BCC, Patty Ladasky who's the Vice Head of the BCC and Gloria Dejemmo. We also have many members here from the Bloomfield Business Association, Gloria Ladawn who's the President of the Bloomfield Business Association along with Bob Ladawn, Kevin Donough, Chuck Gordon, of course, of Gordon shoes, Ken Barkivish, Father Dell Daneno, thank you for being here, and Sister John who runs the Immaculate Conception School. We have Phyllis Scanga who's the current head of the Bloomfield Arb and her husband, Anthony, who's known well in the community. We have Assistant Chief Mullen representing the Chief's Office for Kurt. As Councilman Ferlo said, Augeto Deangeles, Bloomfield's fine District Magistrate, thank you for being here. We have Congressman Mike Doyle who came down. Congressman we're going to have

you say a few words. It's really a pleasure and an honor to have you here. We also have Kurt's pastor, Pastor Eric Reson, from Zion Lutheran in the South Hills, thank you for being here. I know there are probably people that I missed and I apologize. If there is a better reflection of community in community oriented policing, I don't know what it is. Kurt, you certainly have it. Without further adieu, I'd like to ask Janet Scalien, the head of the Bloomfield Citizen's Council to say a few words.

Ms. Scalien:

Thank you Dan, Honorable Councilpersons and Assistants in Council and all of our wonderful people that came to honor Kurt. Before he came up here, the last thing I said to him is, just the way you work with your heart, that's the way you talk from your heart. So, I'm going to do a little of my own advice to you and speak to you from my heart. I'm very proud to have been born and raised in Bloomfield, the Jewel of the City of Pittsburgh. That's the way we feel about our town because there is so much civic pride and personal pride within our community. Three of the things that we've always been very conscience of is love, respect and trust in our community. One of the reasons why there is so much harmony and the community is like it is. When Kurt came to us as a total stranger, we embraced him with love, respect and trust. He earned that, he gave it back receptacle and we honored with the Bloomfield Citizen's Council Extra Mile Award because there are things that he does that he really doesn't have to do. He's embraced our community and really made us part of his life. When we see him coming down the avenue, his stature is straight as a narrow and his strength that

he protects, he has earned the admiration, love, respect and trust of our community. We all love you.

Mr. Cohen:

Thank you so much Janet. Janet, herself, won an award just last week. A very, very important award, the Jefferson Award that was sponsored by the Pittsburgh Post Gazette, Eat-n-Park and also KDKA TV. Congratulations to you Janet. Hopefully it'll go national in Washington.

The next speaker I'd like to ask is Father Dale Daneno. Father if you could say a few words, please.

Mr. Daneno:

A little more than six months ago when I arrived in Bloomfield as the newly appointed Pastor of both Immaculate Conception Church and St. Joseph's Church, walking the avenue a young police officer approached me and introduced himself and telling me that he was available to me for anything that I would need. In those six months, I have passed him many of time on the avenue and I know that his word is true. I can't say enough for Kurt Kondrich. When Dan Cohen's office called me and invited me to be here this morning, I was all to happy to accept the invitation to add my own words of gratitude and praise for the marvelous work that he does in helping to make Bloomfield the wonderful neighborhood community that it is. Thank you Kurt.

Mr. Cohen:

Gloria Ladawn, Head of the Bloomfield Business Association if you could say a few words, please.

Ms. Ladawn:

The only thing I can say is on behalf of the Bloomfield Business Association and the Bloomfield businesses on Liberty Avenue, it's not unusual for Kurt to be walking up and down the avenue everyday and stopping in on the businesses to check them out and make sure everything's okay. If they have any problems, Kurt is always there willing to help. He has always been able to assist the businesses and the Business Association in anyway that he can. The only thing I can is that our business district, as we consider a safe district, because of Kurt being on the beat. No matter what, Kurt is an asset to Bloomfield and it's an example of the C.O.P. cops and the police and the business districts along with the community working together. Kurt is an example of what can be done with it. Congratulations Kurt.

Mr. Cohen:

It's my honor to share representation of Bloomfield on City Council. We're going to work our way up, from you to the Congressman and, then, to Kurt. Jim say a few words, please.

Mr. Ferlo:

Thank you and Congressman Doyle my apologies, I didn't see you in the back of the room. We're very honored, obviously, to have you here. Congratulations on your tremendous reelection.

I think what best describes Kurt put the community into community oriented policing and put the feet in foot patrol because that's really what he's

about. He is somebody who is really exemplified all that we have talked about. The last two or three Mayors, we keep talking about the need for community oriented policing and nobody has really embellished that or really made it more real than Officer Kondrich. We're very honored and pleased to have him in Bloomfield. But, more importantly, I think we need his leadership to replicate his attitude and his work ethic and his skill level with the other C.O.P. officers that we have throughout the program. I think, in terms of quality workforce management, there's a lot that can be learned by all the different C.O.P. officers. Everyone of them have something uniquely to contribute to the community. But, in Bloomfield, Dan and I are proud to share the neighborhood, it doesn't matter the time of day, night or day, it can be a meeting in the school on a school problem, it can be down at the recreation center, it can be meeting with the big banks on Liberty Avenue or the small neighborhood retail store, it can be meeting in somebody's home off of the avenue, it doesn't matter what the issue is, if it involves in anyway something to do with quality of life for Bloomfield and something to do with public safety, broadly defined including building inspection and abandoned cars, you name it, Officer Kurt's involved in that. That's really what all these people are here to say. That we not only want not lose this gentleman officer, more importantly, we hope that his leadership can be exemplified citywide as we continue to grow and strengthen and the C.O.P. Program. So, it's a great honor to be here also to pay tribute to this gentleman. Thank you.

Mr. Cohen:

We also have two federal representative here, Rob Ahoe who represents Senator Santorum's Office, thank you. We're very, very honored to have Congressman Mike Doyle. It's not often that we get a Congressman in these Chambers. For you to come down for Kurt is really a wonderful thing to do. Thank you for being here.

Mr. Doyle:

Thank you very much and thanks for the opportunity to be here this morning. This is my first time in City Council Chambers and I'm pleased to be here. I'm really here under the friends of Kurt Kondrich. I don't represent any of the City of Pittsburgh, by district is Suburban. I don't even represent Plum Borough, it's Ron Klenk's district, where the Kondrich's Family live. But, I've had the pleasure of knowing Ted and Marsha Kondrich for 20 years now and have literally watched Keith, Kurt, Tonya and Marla Kondrich grow up. Kurt, we're just so proud of you and your family is so proud of you. We really need more examples of you. Here's an opportunity for us to recognize a police officer who's bonded with his community, who's doing policing the way we'd all like to see community policing happen. It's important, we need officers like Kurt Kondrich here in the City of Pittsburgh and throughout Allegheny County and this country. Kurt, your family and friends are proud of you. I brought you a special Proclamation from the House of Representatives. In the interest of time, I'll not read it, but I'll present it to you and let you know that your mom, dad and family really think highly of you and we all do too. Thanks Kurt.

Mr. Cohen:

Well, it takes a little air out of the City Council Proclamation. Kurt, I just want to thank you so much. Thank you for serving Bloomfield and thank you for serving the City of Pittsburgh. Finally, it's your chance to speak and I want to present you with this Proclamation. Congratulations.

Mr. Kondrich:

I'm kind of speechless here, but I'll try to follow-up with a few thoughts that I came up with night while I was thinking about today. First of all, I want to thank Councilman Ferlo and Councilman Cohen and the entire City Council for having me here today for this Proclamation. I also want to thank Janet and the Bloomfield Citizen's Council, Gloria and the Bloomfield Business Association, all the citizens and residents and merchants of Bloomfield who have been very supportive. Their encouragement over the years that I've been there has been second to none, I'd like to thank them all. I want to thank my wife, Margie, my parents, Tom and Marsha Kondrich, my family and all my friends who have come down here today. It's with your support that have driven me into the profession that I'm in right now.

The Community Oriented Policing Program has enabled the police department to build bridges between businesses and the police department and break down some of the walls that have existed over the years. By interacting with the people and the merchants on a personal level in my neighborhood, I feel like I've been able to build those bridges and form a team that have, obviously, over the last couple of years, the crime rate in the City has gone down, this has helped reduce the

crime rate and just formed a better attitude toward the police and what policing is all about and what we are because we're just common people like everybody else. I think people are starting to recognize that now that they get to know us not just from sitting behind a car but from walking and talking to us on a personal level and seeing that we have the same lifestyles as everybody else. I feel very blessed to know that I've made a positive impact on this community. I'm overwhelmed by the support that came down here today. I was not aware that this many people would be here. I am overwhelmed and very blessed to have these people here. I thank God for guiding me in my profession and in my personal life and for giving me the resources and the tools so that I can serve the community effectively. Once again, I want to thank everybody here for this honor you bestowed upon me and I will try to live up to it and be of serve to the City of Pittsburgh for many years to come. Thank you very much.

The Chair:

At this time, I'd like to call on Councilwoman Valerie McDonald. Again, thank you to all the friends and supporters of Kurt this morning. Thank you for taking time out of your busy schedule to come down here today.

Ms. McDonald:

I would like to call forward participants and guests of SisterReach Advisory Council. Can you come forward now, please?

I'll read the Proclamation and, then, I'll show the calendar as well as have some remarks from Mag Hembie as well as Laurie. Let me read this Resolution.

MS. MCDONALD PRESENTS:

No. 1553 WHEREAS, the SisterReach Advisory Council and the Pittsburgh Susan G. Komen Breast Cancer Foundation Race for the Cure sponsored the 1997 Soul Survivor Calendar which features the photographs and personal stories of twelve African-American breast cancer survivors, and

WHEREAS, the idea of the calendar was conceived by the African-American Cancer Coalition, a multi-institutional working group currently sponsored by the University of Pittsburgh Cancer Institute. Other contributors were the African-American Cancer Program of the University of Pittsburgh Cancer Institute and the Greater Pittsburgh YWCA ENCOREplus, and

WHEREAS, the SisterReach Advisory Council is helping to increase the awareness that although breast cancer is a leading cause of cancer death among African-American women, early detection and treatment can save lives, and

WHEREAS, the SisterReach Advisory Council's calendar celebrates the lives, fortitude, and faith of those who have survived breast cancer.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends the SisterReach Advisory Council of the American Cancer Society Greater Pittsburgh Unit for its outstanding effort in bringing knowledge to women within the African-American community and all of Pittsburgh.

MR. O'CONNOR motioned to approve the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

Now, before I have Mag come up here, this is the calendar. It's a soul survivor calendar. The cost is \$8.00. Basically, think of it like Girl Scout cookies. I'm selling Girl Scouts cookies and people said, oh my goodness, the box went up to \$3.00. Well, here's what I tell them, well, give me a donation of \$3.00 and I'll give you box of cookies to say thanks. This is the calendar, \$8.00 is not a lot of money and goes for a good cost. It's, basically, to help fund the support, research and whatever's necessary to try to inform and educate people, African American woman as well as woman in general, on breast cancer to try to stop it. To try to make sure that women do not continue to die from it, that they do detect it early. I do have to comment on the recent article about mammograms. I do take a different position. I think mammograms should be done on anyone who is at risk, they should be done early and I don't think 40 is all that early. I get them, so thank you woman. I care about my health. Forget that 50 stuff, you get it done when your doctor tells you to get it done and early is good. So, without further adieu -- I also wanted to say that these are the woman, I don't know if the camera -- it doesn't matter, you all need to buy a calendar and you'll see the woman. We're going to bring Ms. March up here to make some comments. We have Debbie Nurail up here and everybody knows Debbie Nurail with WAMO. She is a breast cancer survivor. Mag, I'd like you to come forward and say some words.

Ms. Hembie:

Good morning. Thank you Mrs. McDonald, honorable Councilmembers. I'm here today on behalf of the Breast Cancer Survivor Calendar and it's called Soul Survivor. I'm here to ask you to please support this calendar. I'm a breast cancer survivor. I didn't want to be on this calendar, but I was cohorsed. After they told me that this was going to help other black woman, I felt that since I had been so blessed and so honored to be on this calendar now, I said, okay and I went on and the picture was taken. I'm in March. We ask you to support this and support the breast cancer. We're trying to get the message to all black woman that this is very important that we do have mammograms, that we do our breast exams, that we have a professional medical person to do a breast exam once a year. This is so important because we're dying at a higher rate from breast cancer. Not because we get it any faster, it's just that we're not educated to what is necessary to save our lives. I would like for each and every one of you to please support this. This is underwritten by the Pittsburgh Race for the Cure. We want to thank them so much because without them, it could not have been possible. So, we ask you to pick up a calendar. If you don't know where you can get them, call them American Cancer Society, Laverne Baker, and she'll be glad to guide you. They're in some of the stores. I won't say which because I'm not really sure. They're going to go nationwide so please support this. Even though some of you are not Black, but get to the Black woman in this area or in your area and let them know how important it is for us to have this mammogram breast exam and medical visit each year. I agree with Mrs. McDonald, it is so important to have that

mammogram, 40 and over because it can pick up something that we can't with the human hand. You're not exposed to that much radiation, no more than an x-ray or maybe less. Please help us and thank you for listening to me. Laurie is the Director for Race for the Cure.

Ms. Laurie:

Good morning. It's a pleasure for the Race for the Cure to have supported this project. We are truly committed to raising awareness about breast cancer especially in the minority community. We know that the mortality rate for breast cancer across the country is dropping, but it is still rising in the African American population. So, we are committed to taking care of our Black sisters and making sure that they have access to practicing early detection and raising awareness. We do that through a program called the Mammogram Voucher Program which provides mammograms and follow-up diagnostic services to medically underserved women. It was initially in Allegheny County and now it's in 22 counties of Western Pennsylvania. I thank these women for coming forward and agreeing to be part of the calendar. Also, I want to add to what Mrs. McDonald said about the latest reports from the National Advisory Committee from the NCI. Women from 40 to 50 should be having mammograms. The report said that it's up to the woman to make their own decisions. Well, I'm encouraging woman to make that decision and making sure that insurance with still cover mammography. I've had breast cancer twice and I'm not 50 yet. So, I really believe that it is an important detection device. With that, I thank you again and have a good day.

Ms. McDonald:

I also want to acknowledge that Laverne Baker had some car problems. I almost slipped on the ice myself coming out the door this morning. So, she's not able to be here. We also have Medrich St. Clair, Dora Moore, Irlene Thomas and Evelyn Parker who's a familiar face. I want to thank these women very much.

Ms. Laurie:

On Mother's Day, May 11th, is Race for the Cure. It's 5K, it's three miles, you can run or walk, and there's a one mile fun walk. We are the largest race in the City and we hope you'll join us that day.

The Chair:

What's the phone number for that?

Ms. Laurie:

521-CURE.

Mr. O'Connor:

How many people do you have running?

Ms. Laurie:

Eleven thousand. We started the first year with three thousand, we went to six, nine and eleven and we're expecting thirteen thousand this year in our beautiful Schneley Park.

Ms. Parker:

Even though we're directing this to women, we want to direct it to the men because all the men in here have a woman that they love and we want to keep the

woman that you love. So, urge all your relatives and friends to get mammograms. Men get breast cancer as well. So, consult with your physician on how you can do breast examination on yourselves. Since I'm up here, I'm going to put in a plug for the men to do self-examination for prostate cancer. That's our next major campaign.

The Chair:

Thank you very much.
Councilman Onorato on behalf of all of our colleagues.

Mr. Onorato:

At this time, would everyone here associated with Catholic Schools --

The Chair:

If we could give Councilman Onorato and his wife, Shelly, a big hand, they just had a new baby boy and we need to congratulate them.

Mr. Onorato:

Thank you. Everyone associated with the Catholic School's Week, come forward please. As they're walking forward, I want to name some of the groups that are here. If I miss someone, we'll get them when they're up here. We have representatives from several of the Catholic grade schools in my district, but they're here, basically, representing all the Catholic Schools in the City. From St. Pete's, Sister Rita, Angeline Taylor, John Shawnbakker; from Incarnation, Jeremiah Cronizer, Amanda Mesmer, Jennifer Cronizer; Most Holy Name, Sister Cauletta; Risen Lord, Mrs. Cribbons; St. Sarels, Robert Mauler and Cortney

Mauler; and from North Catholic High School, Father Taquatta, Tom Oberst, Luke Gravestall, Joleen Renabeck. If I mispronounced any, I apologize. Is there anyone else here that I didn't get? If not, at the end of the Proclamation, you can say -- We also have us Dr. Ron Bold who's the Assistant Superintendent of the Catholic Schools, Pittsburgh Diocese. I'm going to read the Proclamation and we're going to hear some words of some of the individuals here. The Proclamation speaks for itself.

MR. ONORATO PRESENTS:

No. 1554 WHEREAS, Sunday, January 26, 1997 through Saturday, February 1, 1997 is the celebration of Catholic Schools Week, and

WHEREAS, the Catholic Schools of the Diocese of Pittsburgh have served Western Pennsylvania since 1828, and

WHEREAS, there are 123 schools serving the six-county Diocese of Pittsburgh, comprised of 37,000 students and more than 2,000 teachers, and

WHEREAS, the students of the Catholic Elementary Schools of Pittsburgh score approximately two full years above the national averages in reading and math by the eighth grade, and

WHEREAS, in the past ten years, Catholic High Schools of Pittsburgh have produced 115 National Merit semifinalists and 107 National Merit finalists. Additionally, these schools graduate more than 99 percent of its seniors and sends 95 percent of its graduates on for further education, and

WHEREAS, the Catholic Schools of Pittsburgh offer a broad program of service activities and community involvement. They also offer extracurricular programs of sports, clubs, and activities which are supported by parent involvement and volunteer assistance, and

WHEREAS, Catholic Schools, in addition to academics, instructs students and families about God, faith and religion. They teach our young people to take responsibility for growing, learning, and for the welfare of others, and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the students, parents, faculty, clergy, administrators, and all those individuals responsible for making the Catholic Schools of the Diocese of Pittsburgh a success!

MS. MCDONALD motioned to approve the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Onorato:

Before I turn this over, I just want to say a few words from my personal perspective of Catholic Schools. Being a product of a Catholic grade school and Catholic high school on the North Side, I have to attribute a lot of my success if not all of it, or a majority of it, to my education that I received in Catholic Schools. Even today, in the '90s, this is my point of view, I am so glad that the City of Pittsburgh still has the option that's available for Catholic Schools. It's an

option that adds to the vitality of the City, that adds to the uniqueness of the City and it's a struggle to keep that option available to our children. It's not as easy as it was years ago to have that option available. I think it's incumbent upon all of us to make sure that the choice remains within the City boundaries. I recognize the Diocese covers more than just the City, but the City's an unique situation. Whatever I can do to help continue, not just to keep the schools open, but to have every student have the chance if they like to be able to get in these schools, I will do what I can. I want to just thank the Diocese for keeping that option there. At this point, I'd like to ask Dr. Boze to come forward and just let us know a little more of what's going on what the Diocese and what the schools have been doing. I know you're very closely related to all the activities going on.

Dr. Boze:

Thank you Councilman Onorato and all of City Council for honoring us and celebrating Catholic School's Week with us. It's very difficult when someone reads from a Proclamation which you hadn't seen and you were ready to give all of that information out as part of your presentation. So, I'm going to have to adjust and wing it. As the Proclamation didn't mention, however, we opened up our first school in 1828 in the City of Pittsburgh. Our first _____ School, however, was 1841, which was St. Philamenas. Although St. Philamenas is longer in existence, it's still serving children of faith as it serves as the Jewish Educational Institute in Pittsburgh. We were invited there not to long along to go through the building and look at what they were doing and it was really gratifying to see that the school was still serving

children and still teaching them faith in God which we feel is very important for the holistic education of children especially in the age in which we live.

Our Catholic School system here in the City of Pittsburgh in the Diocese of Pittsburgh is the 4th largest system in Pennsylvania. A lot of people do not understand or know that. As a matter of fact, if you would go back, at one point in history, we were serving, probably, a similar number of students in this area in non-public schools as we did in public schools. I think that is a very interesting statistic. Also, in the City of Pittsburgh, we do serve a very diverse population. We serve 22 percent non-Catholics and a little over 10 percent of minority groups. Actually, we have three schools that ironically are 99 percent non-Catholic and 99 percent African Americans. We're very proud of being productive partners in educating children in the City of Pittsburgh where we have over 30 schools and in the surrounding communities which we have proudly served for all these hundreds of years producing hundreds of thousands of graduates, our own Mayor, many of our City Councilmembers, even the Governor of the State of Pennsylvania is a Catholic School graduate. So, we're very proud of that. Thank you again for having us and for celebrating Catholic School's Week.

Mr. Onorato:

Thank you doctor. Before we wrap it up here, is there anyone from any of the schools who want to say a word. Father Taquatta, from North Catholic. You hooked me into speaking today at 1:00 at North Catholic so, now, I'm going to put you on the spot.

Father Taquatta:

Thank you very much. Once again, on behalf of the high schools and the elementary schools of the Diocese of Pittsburgh, I'd like to thank the members of Councils for honoring us today. My only message today since I wasn't planning to speak, but a Priest never passes up a microphone, is to assure all of you that Catholic Schools are doing very well and thriving today. As Councilman Onorato will see at 1:00, his almatater, North Catholic, of which I'm the first President, is thriving and doing very well today and still serving many students from throughout the North Side, but also many other neighborhoods of the City of Pittsburgh. That's simply my message, that we're doing very well. We continue to educate our young people very well, not only academically but also in values, in our faith and in the way of life that we hold very dear. Thank you once again.

Mr. Onorato:

Finally, if any of the students want to say anything.

Shawn Shawalker:

My name is Shawn Shawalker. I'm from St. Peter's School on the North Side. We would like to present Mr. Onorato with a Catholic School's Week pen.

Mr. Onorato:

Before you leave, make sure that, there's several Proclamations, that each school gets one of them and I don't give them all to the same school. I want to thank you.

The Chair:

Thank you all and congratulations on behalf of all of us. Thanks and keep up the good work. Councilman Onorato, I believe you have one to be read into the record.

Mr. Onorato:

I have one for the record.

MR. ONORATO PRESENTS:

No. 1555 WHEREAS, on January 30, 1927 Mary Jane Halligan McGrath was born; and thus is celebrating her seventieth birthday, and

WHEREAS, Mrs. McGrath is a lifelong resident of the 27th Ward, North Side, and now resides at 1620 Antrim Street in Brighton Heights, and

WHEREAS, Mrs. McGrath is a member of Risen Lord Parish, the former St. Francis Xavier Church and has been a part of this parish community for the past 25 years, and

WHEREAS, Mrs. McGrath has also been a dedicated employee of Risen Lord Parish for the past 25 years, and

WHEREAS, Mrs. McGrath is a member of the Ladies of Charity and visits shut-ins on a regular basis. She belongs to the 27th Ward Seniors and participates in several community groups. She is a life-long Democrat, hard worker, loving mother, and all around terrific person, and

WHEREAS, Mrs. McGrath's maiden name is Halligan and she is proud of her 100% Irish heritage and celebrates it heartily, and

WHEREAS, Mrs. McGrath has five children, numerous grandchildren and many friends who are gathered here today to help her celebrate her 70th Birthday!

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby declares, Thursday, January 30, 1997 Mary Jane Halligan McGrath Day in the City of Pittsburgh.

MR. UDIN motioned to approve the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Councilman Ricciardi has one to be read into the record. Councilman Onorato for Mr. Ricciardi.

MR. RICCIARDI PRESENTS:

No. 1556 WHEREAS, Donald "Bud" Prosser was born January 19, 1917 and has been a resident of Pittsburgh's South Side all of his life, and

WHEREAS, Bud Prosser worked at and retired from the Second Avenue site of the former Jones and Laughlin Steel, and

WHEREAS, Bud Prosser and his wife, Rita, raised two wonderful children, Barbara and Craig, at their home at the corner of South 18th Street and Carson Street, and

WHEREAS, Bud Prosser is now noted for his walks throughout the South

Side and for his generous and gracious attitude toward family and friends, and

WHEREAS, on Sunday, January 19, Bud Prosser will celebrate his 80th birthday.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh congratulates and commends Donald "Bud" Prosser for his lifelong devotion and service to the South Side and declares Sunday, January 19, 1997, Donald "Bud" Prosser Day in the City of Pittsburgh.

MR. O'CONNOR motioned to approved the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

I'd like my union brothers to come up first. Members of Council, I'd like to suggest and propose the following.

MR. FERLO PRESENTS:

No. 1557 WHEREAS, on February 2, 1997, the members of the Pittsburgh Theatrical Assembly, Local # 3, of the International Alliance of Theatrical Stage Employees, Motion Picture Technicians, Artists and Allied Crafts of the United States and Canada, AFL-CIO, CLC, will honor their senior journeymen of 50 years, and

WHEREAS, the legacy of Local #3 began when a handful of men formed the Pittsburgh Theatrical Assembly on August 7, 1887, and developed a reputation over the years as a strong union,

loyal to the original principals of the Knights of Labor, and instrumental in the formation of the National Stagehands Union and eventually the International, and

WHEREAS, from the glory days of the Gayety, the Stanley, and the Loews Penn to the renewed heyday of the Byham, the Benedum Center and Heinz Hall, the stagehands of Local #3 have operated lighting equipment, set scenery and transformed stages into imaginative scenes of beauty and technical wonder, and

WHEREAS, the stagehands of Local #3 are directly involved in cultural events such as those presented by the Pittsburgh Dance Council, the Pittsburgh Cultural Trust, the Pittsburgh Symphony, the Pittsburgh Ballet, the Pittsburgh Opera and the Civic Light Opera.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends and congratulates the honored senior journeymen of the Pittsburgh Theatrical Assembly, Local # 3, of the International Alliance of Theatrical Stage Employees, Motion Picture Technicians, Artists and Allied Crafts of the United States and Canada, AFL-CIO, CLC.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby declares Sunday, February 2, 1997 to be "Pittsburgh Theatrical Assembly, Local # 3, Senior Journeymen Day" in the City of Pittsburgh.

MR. HERTZBERG motioned to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. I think the Proclamation speaks for itself. What's the old saying about the show must go on. The fact of the matter is, the show can never go on without the art and the skill and the craft that these men and women represent. The three men are represented here today, but it is a union that has a great wealth of talent in it as we well know. One of the great economic engines now is the Pittsburgh region and Pittsburgh, specifically, is the cultural trust district. The venue that the theater and the cultural opportunities that we enough are represent. That means a lot of employment, economic activity and commerce for the City of Pittsburgh. The backbone of it all to me is the men that these three men represent today. We're very proud to have them here today. We have three officers here, Robert Ulinger, the President; Joseph Muller, the Business Agent; and Thomas Eckens, Jr., the Treasurer from the Union. I'd like to call on at least one of them to say a few words. Again, I think we all want to join in applauding this union and, specifically, recognize the tremendous multi-decade of leadership that this union has given, not only to its membership, but more importantly, to a very emerging industry in the City of Pittsburgh that has offered so much in terms of economy and commerce but, more important, in terms of the beauty and splendor and the culture that we love and have come to love even more thanks to the talent of these folks.

Mr. Ulinger:

I'd like to thank City Council and, especially, President Ferlo for this

Proclamation. It's quite an honor for these men that put the 50 years in to honor them and our pleasure to do so. Thank you.

Mr. Ferlo:

Thank you very much. And, they say the last is always the best. I want to bring my friends up here, Rose Larus from Senior Friends from Bloomfield and Joe Krenn and our other representatives here who were nice enough to contribute financially to this project which, actually, is an ongoing project. We have Laurie Duvall here also and Joe Krenn from Pain Webber and Rose Larus from the Bloomfield community. Rose was here also earlier for Officer Kurt. Members of Council, I'd like to move the following resolution.

MR. FERLO PRESENTS:

No. 1558 WHEREAS, on Saturday, July 13, 1996, between the hours of 10:00 a.m. and 5:00 p.m., Senior Friends under the supervision of Rose Larus, President, sponsored Bloomfield's Health and Safety Awareness Day at the Immaculate Conception Social Hall, and

WHEREAS, approximately 250 children from Bloomfield and the surrounding neighborhoods attended this health and safety event, and

WHEREAS, Council President Jim Ferlo garnered the financial support of Joseph Krenn - Paine Webber, Leslie Riems - Associated Cleaning Consulting Services and Michael McGonigal, M.D. - Family Practice Medical Associates South, making it possible to distribute and fit approximately 250 children with free bicycle safety helmets at the Safety Awareness Day, and

WHEREAS, the children actively participated in an educational program that highlighted the importance of wearing a bicycle safety helmet, and

WHEREAS, this helmet distribution was a follow-up to Project Safe Summer, and now adds to the grand total of 12,000 free bicycle safety helmets distributed to the children of Pittsburgh, and

WHEREAS, it is this type of commitment to the safety of the children in the City of Pittsburgh that strengthens our neighborhoods and makes Pittsburgh a wonderful place to live.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Rose Larus for her dedication in coordinating Bloomfield's Health and Safety Awareness Day.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby recognize and applaud Joe Krenn, Leslie Riems and Michael McGonigal, M.D. for their generous financial contributions that made it possible for the children attending Bloomfield's Health and Safety Awareness Day to receive a free fitted bicycle safety helmet.

MR. UDIN motioned to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. I do want to thank also my colleague, Councilman Dan Cohen, who spent some of his volunteer time that day helping us to fit the kids. He had babysitting duties that day and he was able to spend some time with us and we appreciate it. I just want to bring Rose up here first. Rose is no stranger here. She works a lot, obviously, in the Bloomfield, Lawrenceville community. She has single-handedly help to provide flu shots and other vital health care services to what probably now is several thousand seniors in the communities that I represent. She's involved in lots of different neighborhood things and we were very proud to be one small part of the Safety and Awareness Day in Bloomfield held last year. I don't know if another one is scheduled this year, I hope there is and I hope that our friends here and maybe some other friends that we can recruit will also be as generous and we can continue the good work of providing free bike safety helmets. Rose, if you would like to say a few words and thank you very much for your good work.

Ms. Larus:

This was a surprise. You didn't tell me this. Thank you very much, I really appreciate this. If it wasn't for the other people helped, all the volunteers that came in and gave us their time, we would have never been able to do anything. So, I just want to thank everybody and I want to thank God for giving me a third chance. Thank you.

Mr. Ferlo:

I want Laurie or Joe. I want to Laurie up here, at least, because she's the good PR person.

Ms. Laurie:

I'd like to thank Mr. Ferlo and the members of City Council for recognizing us in our efforts in Project Safe Summer. On behalf of Family Practice Medical Associate South, Associated Cleaning, Paine Webber and Rodman and Associates, I'm like to thank you.

Mr. Ferlo:

Joe's from Paine Webber. He's usually very bashful, but he's not bashful when he's trying to get money out of you. This time I was able to get money out of him. I want to thank him for activism in the community and for the tremendous support that they should a continuation of good work of Project Safe Summer.

Mr. Krenn:

On behalf of Paine Webber, I would like to emphasize our support to the City of Pittsburgh and the children of the City of Pittsburgh. I also ask Council to consider not just the activities that Bloomfield is undertaken but all of your districts. By all means, Paine Webber is open to hear your pleas and I also urge that other companies and my peer financial service organizations also support this City in making this a major undertaken in the years to come. Thank you.

Mr. Cohen:

I just want to take a moment to congratulate the sponsors but, also particularly to thank Rose Larus. Rose has done so much good work in the community, providing flu shots, doing health awareness and education and often does so without credit. You deserve the

credit and I'm glad you're getting some of this morning. Rose, congratulations.

Mr. Cusick:

I'd also like to congratulate Rose Larus and Joe for their participation. Council President Ferlo helped me to also get involved in the South of Pittsburgh. I find it to be an incredible experience. Watching the community come together to provide a safe play time or play experience for their children. It's because of people like yourself and Joe and Laurie that it was so successful. I also want to just go on record as saying that we appreciate your continued support, Joe. I know that Rose and Laurie will also give their support. But, the financial end of this is very important to allow us to continue to provide safety equipment for the children. Thank you.

The Chair:

Again, Project Safe Summer was the first year. The second year, we did the Bloomfield event in my council district. I hope this summer, with the continued support of these folks and others, we can continue to do outreach on the issue of bike safety helmets. I will just, again, reiterate that it is the state law for all children 12 and under to wear an approved bike safety helmet if riding a bicycle or other kinds of children's equipment on the streets and in the playgrounds. Unfortunately, to this day, you people and their parents continue to be irresponsible and I'll blame it on the parents for buying the kid a \$150.00 bike and not spending another \$15.00 for a bike helmet. Again, I would ask again please for the media to do whatever they can do to push the state law to press upon parents the need to secure a bike safety helmet, properly fitted, for that

child to wear, especially on those in-line skates which have become the new terror for many parents.

I want to move along. Thank all my colleagues for their patients this morning. Again, applaud all of our guests that came down here today. I want to move to any matter before the Body under Unfinished Business or Reports of Special Committees.

Hearing none, we're moving to Presentation of Papers, Councilman Cohen, Committee on Public Safety Services.

Mr. Cohen:

No papers this morning, Mr. President.

The Chair:

Thank you Mr. Cohen. Councilman Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Cusick:

No new papers, Mr. President.

The Chair:

Thank you Councilman. Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

No new papers, Mr. President.

The Chair:

Thank you Councilman. Councilwoman McDonald, Committee on

Housing, Economic Development and Promotions.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

PRESENTATIONS

MS. MCDONALD AND MR. HERTZBERG PRESENTED:

No. 1559 Resolution authorizing the conveyance of vacated North Canal Street in the 22nd Ward to the Urban Redevelopment Authority of Pittsburgh for no consideration, Council District No. 1.

Also,

No. 1560 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend an amount not to exceed \$125,000.00 from the Industrial Land Reserve Fund to convert vacated North Canal Street to a parking lot in furtherance of development on the North Shore, Council District No. 1.

Also,

No. 1561 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the development of vacated North Canal Street as a parking lot, Council District No. 1.

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

The Chair:

Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

No papers, Mr. President.

The Chair:

Thank you Councilman. Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman.

MR. ONORATO PRESENTED:

No. 1562 Resolution amending Resolution No. 969, approved December 17, 1996, entitled, "Resolution authorizing and directing the City of Pittsburgh to submit grant applications to , and execute relevant agreements with, the Pennsylvania Department of Conservation and Natural Resources under the provisions of the Keystone Recreation, Park and Conservation Fund, and the Symms National Recreational Trails Program" so as to add additional information.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

The Chair:

Councilman Ricciardi, Committee on Public Works, Water and Environmental Services.

Mr. Ricciardi:

Thank you Mr. President.

The Chair:

Thank you Councilman Ricciardi.

MR. RICCIARDI PRESENTED:

No. 1563 Resolution directing the Director of the Department of Public Safety to provide information to City Council regarding school crossing guards.

Which was read and referred to the Committee on Public Safety Services.

Also,

No. 1564 Resolution amending Resolution No. 1016, effective January 1, 1997, entitled, "Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh," by decreasing Code Account 44-9, Workers Compensation-Medical, by \$100,283.00.

Also,

No. 1565 Resolution amending Resolution No. 1017, effective January 1, 1997, entitled, "Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions, by increasing the number of positions

within the Department of Public Safety, Police Bureau, School Crossing Guard Section.

Which were read and referred to the Committee on Finance and Budget.

MR. RICCIARDI moved to waive Rule 8 on all three bills by providing for consideration of the bills only until or after the calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman.

MR. UDIN PRESENTED:

No. 1566 An ordinance amending the Pittsburgh Code, Title Two, Fiscal, Property Taxes, Chapter 263, Real Property Taxes and Exemption, Section 263.02, Payment Options, Discount and Delinquency Penalty, by changing subsection (a) relative to extending the discount period for the 1997 fiscal year.

MR. UDIN moved to waive Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bills were

introduced so the bill will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Also,

No. 1567 Resolution providing for the transfer from Real Estate, Fund 1000, Organization 999200, Subcode 150, Account 585020, into Refunds Fund 1000, Organization 999200, Subcode 150, Account 585060, the amount of \$25,000.00.

Also,

No. 1568 Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination program for uniformed and other employees and candidates for employment and promotion, at a cost not to exceed \$55,000.00.

Also,

No. 1569 Resolution repealing forfeiting Resolution No. 822, Item I, effective, November 1, 1996, and reinstating Resolution No. 422, Item C, effective June 17, 1996, which authorized the sale of a two story brick house situated on a lot 28' x 85', known as 507 Lincoln Avenue, 12th Ward, Block 125 B, Lot 84, to Alma Hicks, for the sum of \$3,500.00.

Also,

No. 1570 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 1571 Communication from Barbara Parees, Director the Department of Personnel & Civil Service, requesting approval for John Turyan (a non-city employee) Pittsburgh. Private Industry Council Member, to travel to Washington D.C. from February 28 through March 4, 1997 to attend the 1997 NAPIC Forum.

Which were read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 1572 An ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article V, Regulations Applicable to All Districts, Chapter 993 Exceptions, Section 993.01 Use Exceptions, subsection 993.01(a), Conditional Uses Permitted by Council Approval, subsection C, Procedure, by adding new subsections 993.01(a)C.(4), Public Hearing Before Council and 993.01(a)C. (10), Recusal Required and by amending current subsection 993.01(a)C.(4), Action by Council.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

Also,

No. 1573 Resolution providing for the issuance of a warrant in favor of Lexis-Nexis, P.O. Box 7247-7090, Philadelphia, PA 19170-7090, in payment for computer user research services for City Council, at a cost not to exceed \$1,382.08, chargeable to and payable from Code Account 1003, Miscellaneous Service, Supplies and Equipment, etc., Index Code 100305, Account No. 525500, Fund 100, Sub-Class 150, Organization No. 101200, Budget Year 1997.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

I'd like to ask for a motion to waive Rule 8 on both bills. One's a payment and the other is to just move to the public hearing part of the bill I'm submitting on Conditional Use.

MR. O'CONNOR moved to suspend Rule 8 by providing for consideration of both bills only until or after the calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

That concludes our Presentation of Papers. I went quickly through Unfinished Business or Reports of Special Committees. Are there any other comments? Do any colleagues have any issues to raise under those topics?

Moving to Reports of Committees, beginning with the Committee on the

Finance and the Budget, Councilman Udin, Chairperson.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin. We have one negative recommendation which we had a lot of discussion at the Committee Meeting. I'd like to suggest we take that one first and, then, see whatever appropriate discussion ensues. That's Bill 1541.

REPORTS OF COMMITTEES

MR. UDIN REPRESENTS:

Bill No. 1574

Report of the Committee on Finance and Budget for January 22, 1997 transmitting sundry resolutions to Council.

Which were read, received and filed.

Also, with an negative recommendation.

No. 1541 Resolution amending Resolution No. 1017, effective January 1, 1997, entitled, "Resolution fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof, and setting the minimum levels for designated positions", by increasing the number of positions within the Bureau of Fire, Department of Public Safety.

The Chair:

You've heard the reading and title of the bill, is there any discussion? Councilman Cohen then Mr. O'Connor.

Mr. Cohen:

Thank you Mr. President. I'd like to make a motion to recommit the bill for a couple of reasons. Number one, the Union President, Joey King, did not have an opportunity to speak at last week's meeting. The reason is because we've never had, as far as I can recall, a union representative come to a Standing Committee Meeting. However, I do think, certainly, that he should have the opportunity to speak. The appropriate forum in which he should speak is a post-agenda meeting. I'd like to ask that we recommit this bill and schedule a post-agenda meeting so that we can have further discussion on this bill. The other issue is that we asked for an opinion from the Law Department and have not seen that opinion yet. This will give us an ample opportunity to see it and to study it before we make a decision on this bill.

The Chair:

Is there a second for purposes of discussion.

MR. UDIN seconded the motion for discussion.

The Chair:

Let's go to Mr. O'Connor since it was his bill in the first place.

Mr. O'Connor:

First of all, I don't think there's a need in talking to the union leaders. They would suggest that we vote it today. Don't

forget, you voted no Mr. Cohen last week to bring Mr. King to the table. Also, as the head of the Public Safety, Mr. King had requested from you as early as Christmas, I think, to have a post-agenda to discussion the issues and we've had almost five weeks to do that and it hasn't been done yet. He showed me in writing, this is only to amend it --

The Chair:

Excuse me. I know we're going to have a heated debate on this so let's go to Mr. O'Connor and we're going to all have an opportunity to respond. Councilman O'Connor.

Mr. O'Connor:

This bill simply states that amending the budget and we only have to the end of the month to do this. It is restoring 143 positions to last year's strength to 96 fire fighters. The only question last week seemed to be about arbitration. That was totally wrong. I have the legal case to prove it. This is what Mr. King wanted to bring to the table. I know three of you are lawyers and I think you can address this and look at it. The arbitration has nothing to do with what we were talking about yesterday. It has nothing to do with the restoring of these positions. The only issues decided at an arbitration are working conditions, wages, and benefits. That's Pennsylvania's Act 111 states that this point is very clearly. Joe King, President of the Fire Fighters, Local 1 was prepared to state this last week but he was unable to do so. All our bill does is the intent to give the Mayor the flexibility to cover staffing decisions, he makes those decisions. Council does not have the power to employ or fill those positions.

This is a bill, depending on arbitration and how it goes down, and we only have to the end of the month to do it, is to protect our neighborhoods and the citizens of Pittsburgh and the fire fighters. By passing this today, the positions will be there and that way the Mayor or anyone else cannot use that as an excuse to either close fire stations or eliminate positions. That's why I'm urging my colleagues to vote for this today. It is simply putting the positions back in as they were last year.

The Chair:

Okay, the specific motion on the floor now is for purposes of recommitment for the purposes of holding a post-agenda. Councilman Onorato.

Mr. Onorato:

Before I comment on the motion for recommitment, point of procedure Mr. President and that is what the five week time line? Is that the first week in February?

The Chair:

It's February the 5th.

Mr. Onorato:

So, we have a week?

The Chair:

That is the issue and Council's ability to reintroduce the amendment similar to what Mr. Ricciardi is proposing to do today. That has nothing to do with the fact that once collective bargaining is resolved, we have to change the budget.

Mr. Onorato:

You're missing my point. I'm asking, procedurally, is there a week for a hold? That's all I was asking.

The Chair:

I believe there's technically time to introduce it.

Mr. Onorato:

On the motion to hold, last week with the whole discussion, procedurally, of who should come to the table and who shouldn't, we had a split vote. I voted in the affirmative with Councilman O'Connor to allow Mr. King to come to the table because I think we made a procedurally mistake, the Body, and that is in the future, I hope we continue to do what we've done in the past and that is, both sides of the bargaining unit, the Administration and the Union, when they're in arbitration discussions and it's not resolved and a bill comes to the table, we should stop all conversation at the table. There is a legal risk that we could be interfering and it could hurt either side. The point is that it could damage the procedures regardless of who's side you're looking at. I would hope in the future what we should have done, maybe, is just have the Administration and the Union not say anything at the table. That was a mistake. I'm not pointing the finger at anybody. In the future, I'd like to see that because I think there was a dangerous precedent if we open up the Wednesday meeting for non-director individuals to come to the table because that's why we have the post-agendas. If I'm not mistaken, Mr. President, I know in the past you've held post-agendas during the budget season regarding these types of issues. They were post-agendas, they

were not on a Wednesday, to let an individual, like a representative of a union, come in front of us and explain what they want or would like to see in the budget or out of the budget. But, it was always held during the budget hearings as a post-agenda.

The Chair:

Based on that point Councilman, we also, specifically, requested of our urging with Councilman Cohen's support, we asked the fire fighter's union, the FOP, as well as the paramedics union representative to be at the table during the budget proceedings regarding the preliminary budget.

Mr. Onorato:

Okay, thank you. Then, we get to this point now where, in my opinion, there was probably a technical mistake made last week. I don't see and I have no problem with a one week hold to have a post-agenda to get back on track with a procedure that we should be using to allow Mr. King to respond to comments that might have made since they were made. It's not jeopardizing the timeframe that we're all talking about, the five weeks. So, today, I will support the hold because I don't see any damage.

I do want to just comment also on the whole issue here. I don't think it's a matter of closing the fire houses or keeping them open. The positions are as needed positions that are not funded. It's very similar to other positions in the past that have been in the budget in police or in general services or in public works that are not filled, that we see the vacancies during the budget proceedings. So, I voted in the affirmative for the positions only because

it had a 0 budgetary impact. It's something that regardless of where the positions are, it takes an act of Council somewhere down the road to approve funding of any position. This wasn't funded, it was just putting positions as needed in the budget. I didn't think there was any budgetary impact at that point. I really thought that it was a lot to do about nothing and that's why today I'm willing to support the hold to hear the comments and to revisit this in 7 days and vote it up or down at that point. Thank you.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Colleagues, today, respectfully, I will be voting no on the recommittal. I remain in strong support of Mr. O'Connor's initiative bill today and I'd like to see a vote on this. I guess I part company with some of my colleagues, Mr. President, when it comes to arbitration. I don't believe arbitration is just a process between the Administration and the fire fighters. But, I think that this Council since, obviously, we approve or disapprove any changes in the budget end, it's really our budget that we pass that we should also have our fingerprint on the budget itself. In terms of arbitration, I think this does send out a strong message, Mr. O'Connor, that we believe that it's not the fear of fire stations closing, colleagues, that I have. I have the fear of a lost of companies within the fire stations. So, I'll be voting no on the recommittal and, hopefully, voting aye on Mr. O'Connor's initiative.

The Chair:

Any other discussion?

I'm going to try to refrain from being too animated here, but let's try to separate out fact from fiction of what this proposal's about because I'm a little bit upset about what I consider basically just posturing for the sake of the fire fighter's union. As far as anybody on this table going back three different Mayor's, I've been as loyal and supportive of the fire fighter's union in the past, presently and into the future. Having satisfied my credentials now to speak on this issue, let's try to deal with the facts and the reality of what this is all about so that the public's not confused and the media's not extrapolating some weird commentary about what this whole discussion's about.

First of all, as is not always the case, but because we are the most opened democratic legislative body in the Commonwealth of Pennsylvania through the Chairmanship of Mr. Udin, Councilman Cohen being Public Safety Chairman, we went out of our way to make sure that, specifically, the union was represented during the December budget deliberations. They had the ability to comment, specifically, on the Mayor's preliminary budget. So, let's just set that aside.

They also have the ability, because they're not naive to the procedures of city hall that when this bill was introduced by Mr. O'Connor, it could have easily been held for a public hearing as was my suggestion last week. It was improper to have the running debate at the table given the nature of the proposal. It would have been more appropriate to have either a post-agenda meeting or a formal public hearing. As far as I'm concerned, I attend all the budget sessions and I'd be happy to

sit there and learn and listen to Fire Fighter King and all the other representatives on this issue or any other issue that they want to come before this Body. As we have on every issue under the sun, from station closings to the breathing apparatus to the budgeted positions. You name it, this Council's gone out of their way to be supportive and listen and attentive to the concerns of the need of the fire fighter's union.

Now, let's just deal with reality here. What I resent is that we went through a lengthy procedure. We had every opportunity, every member here has equal standing with everybody else in their ability to make amendments and change the Mayor's preliminary budget. Rather than posturing what I call last week a budget placebo, because that's all this is sugar coating, it's kind of grand standing on the issue, it's not getting to the meat of the issue. What I resent is that we're going to make a modification to the budget without showing a corresponding revenue source. So, I have no objection to increasing the as needed or increasing the number of fire fighters. Whatever you want to do, I'm happy to consider. I'm only asking out of respect for this Body and, more importantly, to the tax payers of this City of Pittsburgh and to the Mayor who's trying to do his best to manage a work force, that if we're going to add and embellish this budget, whether it be an as needed or fire equipment or you name then we have a responsibility to add a corresponding figure to this budget showing a revenue source. We had two months of a budget deliberation to do that. Everybody was mute, it didn't happen.

Now, out of the blue because of, basically, politics, in all due respect to my colleague, and I think it's exciting that

he's running, I think it's going to be a spirited campaign and I think he needs to take this issue to the public. If the public perceives that this Mayor's agenda is to close fire stations or reduce personnel and if they are concerned about that issue and he is not creditable, then they should vote against him. I believe the Mayor's made it clear that he is not in favor of closing fire stations or losing personnel, but rather he's entered a collective bargaining processing regarding the working conditions and work rules and the like in terms of hours proposed. We're not in the middle of that fray as a legislative body nor should we be. The reason why I'm upset is that it's irresponsible now to amend this budget without a corresponding revenue source. Whether we're changing the as needed or what have you, I would only say that out of respect to all of us as colleagues as the legislative process and, more importantly, to the public and the tax payers, that when and if we have a post-agenda that there be a corresponding figure to show the revenues generated. In much the same way as I'm hoping that Mr. Ricciardi is proposing to do, I believe there's a preliminary proposal if I heard the reading right, something to do with school crossing guards, I'm sure it's warranted and I'm sure it's going to be a serious discussion and I'm sure Mr. Ricciardi has given some thought to the demonetary and revenue issue on that side as we're proposal a budgeted amended.

We have a City budget. This City budget that this Council approved for 1997 includes as needed fire fighter positions. We all know what the reality is. The 1996 budget, as I've stated last week, short changed the fire bureau by \$2.5 million dollars. We knew that when we approved the '96 budget for last year. We knew that come this past September and October. At

the request of the Administration, we're going to have to readjust and change line items from various code accounts in order to pay for the fire bureau operations because the Mayor, however well intention, formulated a '96 budget where he thought he was going to come up with a cost savings of \$2.5 million. Most of us thought that that was not going to happen. In fact, as the year progressed, this past year, in fact, did not happen. There was no cost savings. At the end of the year, we had to do what we had to do regardless of any home rule charter issue about the Council opening of a budget. We had to realign the budget. That's basically what's going to happen this time. We have the as needed positions, we're not closing any fire stations and we're not changing equipment. There's a collective bargaining process going on. When and if that's concluded in whatever time frame it is, we know that the Administration is going to have come back to this Council and present some alternative on the budget regarding the number of personnel and what their hourly wage rate will be. Whatever the issue is, they will come back and that's really going to be the status and the function that we play in this legislative Body.

I just resent that just kind of out of the blue, we're going to grand stand and change this number on the as needed which I think is unfair to the budget process that we just went through. That's why I have no objection to recommitting the bill. As I said last week, I'm anxious to hear from Fire Fighter King and his union. I just think it should be in a formal way. If it's a post-agenda or if it's a public hearing, great I have no objection to it. I just hope that when and if anybody makes an amendment to the budget, that we do it in a way that's fair to the whole

process and that is we show a corresponding revenue source. Otherwise we're just show boating and grand standing on the issue.

Councilman O'Connor.

Mr. O'Connor:

The revenue we can change anytime of the year. Just as you've pointed out, the Mayor falsely said he was going to trend \$2.5 million as you clarified. We questioned that in some of our post-agendas and it did not come true and we had to put the money back in. So, funding is a resource we can deal with anytime. I'll state from the Council's Rule, Amending of the Budget. Council may amend by resolution the operating budget within five weeks after the close of the fiscal year. According to the way I'm reading that, up until Thursday, we have no choice and that's why we don't have time for public hearings or post-agendas, unfortunately. The reason I put it in and the reason I would like to urge my colleagues to vote for this today is because we're out of time. After the 31st the door closes and we have no say in those positions. Actually, it would help the Mayor if Council would support this and give him flexibility. It would also give us flexibility to say the positions are there if needed. We're just going back to last year's manpower and that's all we're asking. This is the last week we have to do it. Actually, we only have two more days according to the Charter.

The Chair:

Councilman Cohen then Mr. Hertzberg.

Mr. Cohen:

I, respectfully, disagree with Councilman O'Connor's interruption of the Home Rule Charter. The Home Rule Charter says five weeks after the close of the fiscal year. That, of course, is December 31st. Five weeks after that time, as I calculated at least, is February 4th which is a week from today. That would give us the opportunity to have a post-agenda, have President King say his piece, for us to vote on it and to resolve this before the Home Rule Charter period closes. That's the suggestion that I have and why I'm moving to recommit.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

We are in our 5th week, that's my problem. Depending on how you read it, the first week is January 1st and we are now in our 5th week. So, it depends on how you read it. The way we read it you're in your 5th week. The 5th week ends this week and you're be into your 6th week next week.

The Chair:

Well I'd liked to suggest a massaging of the proposal that on the table in terms of the timeframe. If we have the post-agenda first thing tomorrow and invite the representatives to speak. Then, we convene the Standing Committee Meeting, we recess this meeting, we can have the post-agenda, there could be a discussion tomorrow avoiding any debate about collective bargaining protocol. Then we have the Standing Committee Meeting and we recess this meeting and we have a post-agenda and final action

tomorrow on the proposal that's on the table. That would at least address Mr. O'Connor's concern. In any event, Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. I can't really agree with either side on this issue. To me, looking at the budget and how it sits, it doesn't really need to be amended. On the other side, this has no impact on the arbitration either whether we pass this or not. To me, the only meeting is some kind of public relations meeting, that's all there is to it. As far as Mr. King and needing a post-agenda, I think that they people that voted against him coming to the table, did more for Mr. King than any post-agenda could ever do for him. We don't need a post-agenda anymore. The strategy actually backfired. In the three years I've been here, it's always been kind of the exception to the rule, that on Wednesday's meetings we don't have anybody. The exception's generally been the FOP and the fire fighters, particularly, when they're in the room and they're ready to speak and they want to speak and you're discussing an arbitration in which you're only hearing one side of the story. That's already happened and in my opinion, that actually helped the fire fighters, it helped Mr. King more than he could ever do by any post-agenda. I don't need a post-agenda. To a degree, I'm going to send a message, it says, I don't want to see any fire houses shut down. I'm going to vote for this bill and I'm going to vote against any recommital.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

All Joe King wanted to do and I can do it very simply right now and that is to clarify the arbitration which Mr. Miller, I think, falsely hid behind. I'll read the two statements now to verify that by doing this, it has nothing to do with arbitration. The courts that have dealt with this issue have drawn a very fine line in distinguishing between the total number of persons on the force non-arbitrarily and the number of persons on duty at a station and is assigned to a piece of a equipment or to be deployed to a fire station. Also, here we find that Act 111 does not remove from the scope of the municipality's managerial decisionmaking the determination of the total number of fire fighters it seems necessary for the level of fire protection it wishes to afford the systems. The arbitrator can only deal with working conditions, wages and benefits. What we're talking about is the number of managerial decision. The arbitrator has nothing to do with this. This is all Mr. King was going to do last week. He feels there is no need for a post-agenda. I feel we should vote it up or down and let's end it.

The Chair:

Thank you Councilman. Any other discussion?

Hearing none -- technically, the motion that's on the floor is still a motion for recommittal.

Roll call vote on the procedural issue of the recommittal.

AYES:

Mr. Cohen	Mr. Udin
Ms. McDonald	Mr. Ferlo

Mr. Onorato (Pres't)

NOES:

Mr. Cusick	Mr. O'Connor
Mr. Hertzberg	Mr. Ricciardi

AYES: 5 NOES: 4

The Chair:

The bill is recommitted, Bill 1541. Now, procedurally, I'd like to suggest that we do this post-agenda as quickly as possible. If not tomorrow then soon. In the meantime if there's something that --

Mr. Onorato:

Point of procedure.

The Chair:

Mr. Onorato.

Mr. Onorato:

This is my interpretation, but if you read the Home Rules Charter, the five weeks, obviously they're referring to five, I think they're referring to five legislative weeks. If you look when the first of the year was, look at five Tuesdays. Five Tuesdays put you at the 4th, that is the fifth technical week of Council meeting. So, it has to happen over the next few days. Tomorrow won't be a hold, it would actually be a vote people can abstain, but you have a final vote on Tuesday. And, that will be the fifth meeting of the year.

The Chair:

I would ask that Mr. Cohen Chairing Public Safety confer with their Budget Chairman, Mr. Udin, and our City

Clerk and let's just get this meeting scheduled, get the discussion over. I do sympathize with Mr. O'Connor's and Mr. Hertzberg's point that a post-agenda we're really going to be reiterating and rebashing the same whole issue, but that's what we agreed to do so let's do it and let's do it as quickly as possible so we can come to a resolution on this. If Mr. Udin could please work on resolving this post-agenda discussion or tomorrow's discussion. Whenever it's going to happen, let's discuss and resolve the issue.

Any other matter on this issue? We're off this issue now, the bill is recommitted.

Removing to the remaining papers under the Committee on Finance and the Budget.

MR. UDIN PRESENTS:

Also, with an affirmative recommendation.

No. 1531 Resolution amending Resolution No. 994, approved December 10, 1996, entitled, "Providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984", to include adjoining property located at 815 Concord Street, 23rd Ward, Council District 1.

Also,

No. 1532 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, entitled, "Second

Class City Treasurer Sale and Collection Act", effective December 11, 1984.

The Chair:

You've heard the reading and titles of the bills, is there any discussion?

Roll call vote, if you're in favor, vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bills having received the legally required number of votes, have been approved finally.

Committee on Planning, Zoning and Land Use, Councilman Onorato.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman Onorato.

MR. ONORATO PRESENTS:

Bill No. 1575

Report of the Committee on Planning, Zoning and Land Use for January 22, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1529 Resolution approving a conditional use exception under Section 993.01(a)A(43) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Operation Nehemiah, Inc. for authorization to use an existing two-story dwelling with a one-story, 22-foot-by-40-foot extension located at 7325 Tioga Street as a group residence facility for eight juveniles, with two parking stalls, on property zoned "R2-T" Townhouse Residence District, 13th Ward.

Also,

No. 1530 Resolution amending Resolution No. 229, approved March 13, 1992, amending Resolution No. 636, approved July 23, 1986, entitled, "Providing for implementation of a Residential Parking Permit Program (RPPP) in the Allegheny West community pursuant to Pittsburgh Code 549", so as to expand the streets included in the existing Allegheny West RPPP Area "G".

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Hearing none, the bills are ready for final vote.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bills having received the legally required number of votes have been have been approved finally.

Committee on Housing, Economic Development and Promotion, Councilwoman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTS:

Report of the Committee on Housing, Economic Development and Promotion for January 22, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1521 An Ordinance amending the Pittsburgh Code of Ordinances, Title Six, Article V, Discrimination, Chapter 651.04 - Definitions, supplementing Subsection 651.04(f) by deleting the definition of "Housing Accommodations" and by re-numbering subsequent Subsections accordingly; by addition subsection 651.04(ii) to specifically define sex to include gender identification and by amending subsections formerly designated as 651.04(h), 651.04(j) and 651.04(hh)(1) as specified.

Also,

No. 1522 An Ordinance amending the Pittsburgh Code of Ordinances, Title Six, Article V, Discrimination, Chapter 655.04, Compliant Review, Service, Answer and Conciliation, by adding a statement to encompass requirements of the Federal Fair Housing Act and making minor grammar corrections, as specified, Title Six, Article V, Discrimination, Chapter 659.05, Religious Symbol Desecration, subsection (b) is also amended to include a minor grammatical correction.

Also,

No. 1523 An Ordinance amending the Pittsburgh Code of Ordinances, inclusive of Chapter 651.02 through 659.05, by deleting the term, housing accommodation, and replacing it with, dwelling; by deleting, guide dog or guide dogs, and adding support animal or support animals; and by deleting, blindness, and replacing it with, handicap or disability, of the user.

Also,

No. 1524 An Ordinance amending the Pittsburgh Code of Ordinances, Title Six, Article V, Discrimination, Chapter 651.01, Legislative Findings, subsection 651.01(b) to add all bases on which complaints may be filed and further to reference the laws and policies of the City of Pittsburgh, rather than the United States of America and Commonwealth of Pennsylvania.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Be mindful there are a series of bills here from the Human Relations Commission in which I hope we will move on today in final form.

Councilman Onorato.

Mr. Onorato:

Three of the amendments I handed out, two of them pertain to Bill 1521. I'd like to take them separately. The first one under Section 2, I have a proposed amendment that would remove the language "or by a group of persons living together" and add "as defined by the Pittsburgh City Code of Ordinance" so that we have the exact same language in the Code that the Human Relations Commission would follow. Especially since we're upgrading the Code. As the Code gets updated, the Human Relations Commission, then, would be in sync with the Code. We wouldn't have to be amending both of them back and forth. So, whatever the definition would be a resident, an individual, a family, unrelated

individuals, whatever the Code describes would be the same for the Human Relations Commission, that's what this amendment would do. I want to take that as separate.

The Chair:

Is there a second on this? The motion dies for lack of second. On your other amendment.

Mr. Onorato:

The other amendment is the same Bill, 1521. It is to delete the entire Section 3.

The Chair:

Is there a second on this? The motion dies for a lack of second.

Mr. Onorato:

Bill 1523 is in front of you also. This is the discussion that we had about expanding the definition of support animals as opposed to guide dog. This is just reversing what was proposed and going back to the definition of guide dog and not using the definition of support animal.

The Chair:

Is there a second on this amendment. Hearing none, the amendment dies for a lack of second on these.

Are there other bills before the Committee?

I just, again, want to urge the adoption of the resolution that we had

before. It's the various bills to amend the City Code. One of my reasons, my most selfish reason, is that we stand to increase the amount of operating dollars back to the Human Relations Commission. Coming into what's referred to as Substantial Equivalency Compliance with HUD. We've been out \$50 or \$60 thousand dollars a year for a good work that we do on employment and housing discrimination. I think amendments as proposed by the Commission having had a public hearing with the community and now forwarding the recommendations to this Council will bring us in compliance and we'll increase the amount of operating dollars that we badly need to sustain the important work of the Commission.

Any other matter, any other discussion, any other bills?

Councilman Onorato.

Mr. Onorato:

Just comments on the bills. I will be voting no on 1521 and on 1523. The main reason is that I think that we're setting ourselves up for opening up a can of worms for too many lawsuits. It's too broad, the definitions, and some of the language is totally unnecessary.

The Chair:

Thank you very much.
Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. I feel as you do Mr. President. This whole package is being presented to us so that we can come into compliance with the Federal Government in this area. I know

Councilman Onorato has the best intentions here with these amendments. But, if we're to make these amendments we may as well just pitch the whole package because we're not going to be in compliance. I think the practical impacts of these amendments is going to be zero. I don't think anything is really going to change in this City as far as the Human Relations Commission is concerned. The only thing that will change is the financial aspect that you pointed out Mr. President. It will now obtain reimbursement from the Federal Government.

The Chair:

I would also ask that our colleagues, Councilwoman McDonald, who helps share this Committee, that we do get an annual report as we know from the Commission. I think it will be important for us to get an annual report update next year in light of the minor changes and technical changes that we've made to the Code. Particularly some of the issues that have been made. I think we're all curious to see what actually has been the impact, the number of complaints filed, what the litigation that might ensue or what actions of the Commission have been. I think a year from now we can look at the situation and look more closely at whether or not we need to further modify the technical amendments we've added.

Councilman Onorato.

Mr. Onorato:

I have to respond. I, respectfully, disagree with Councilman Hertzberg and yourself, Mr. President. While some of the changes do coincide with the federal law and bring us up to, I guess, modern language, it's very clear from the letter

sent from the Chairman of the Human Relations Commission that the one amendment that I had to delete Section 3 of 1521, is not even mentioned in the federal ranks. This went above and beyond what the federal regulations have. So, this wasn't just updating, it was actually expanding what the Feds had and that's what I'm opposed to at this point.

The Chair:

Thank you very much. Any other discussion?

Hearing none, if you're in favor of the bills, vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen	Mr. Ricciardi
Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

BILL NOS. 1521 & 1523

AYES: 8 NOES: 1

The Chair:

All of the bills having received the legally required number of votes, have been approved finally.

That concludes our Reports of Committees. Under Motions and Resolution, Councilman Hertzberg has

helped to draft a Resolution which a number of us had requested.

Councilman Hertzberg.

MR. HERTZBERG PRESENTS:

WHEREAS, proposals for new construction or expansion of Western Pennsylvania's Professional Sports Facilities and Convention Center are being publicly discussed and debated and a proposal has been made by the Governor of Pennsylvania to assist and finance in these facilities by selling the 665 State Retail Liquor Stores to private for profit businesses, and

WHEREAS, for the reasons set forth below, the Pittsburgh City Council opposes the Governor's proposals to sell the State's 665 Retail Liquor Stores whether the proceeds are utilized for professional sports and convention facilities, education, or any other purpose, and

WHEREAS, the Insurance Institute for Highway Safety conducted a survey of Pennsylvania and New York students under the age of 21 and found that the Pennsylvania Retail Liquor Store System resulted in significantly less underaged drinking and use of false identification to obtain alcohol, and

WHEREAS, a study by two university of Minnesota Professors found significant increases in alcohol consumption and five states that eliminated state operated retail alcohol stores, Alabama, 42 percent; Idaho, 150 percent; Maine, 137 percent; Montana, 75 percent; and New Hampshire, 13 percent, and

WHEREAS, Pennsylvania alcohol related traffic injuries and fatalities are significantly lower than other states, and

WHEREAS, the PLCB employs 3,900 individuals and returns an annual profit to the Pennsylvania operating budget of approximately \$60,000,000.00, and

WHEREAS, the losses of life, injury, increase in alcohol abuse among minors and adults, the loss of jobs in the PLCB, and the loss of revenues to the Pennsylvania operating budget exceed, by far, all potential gains from the sale of the State Retail Liquor Stores.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh opposes the sale of Pennsylvania Retail Liquor Stores and directs the City Clerk to send copies of this Resolution to the Governor, all state senators and representatives, the Mayor, the Pittsburgh Auditorium Authority and the Greater Pittsburgh Convention and Visitor's Bureau.

The Chair:

You've heard the resolution.
Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. With all the discussion in Pittsburgh about an expanded convention center, new stadiums and then with the governor's report coming back suggesting that we need to sale our State Liquor Stores to finance these projects, I really thought that Pittsburgh City Council should make a definitive statement about it's position on utilizing Retail Liquor Stores and the sale

of them to finance stadiums. Also, just to make a statement period about how we feel about the sale of Retail Liquor Stores. Since I've drafted this, another report came out. Some kind of poll was done in which the alternative was, we sale the Retail Liquor Stores and put the money into our highways, what's your position. So, I'm going to make a motion to amend this and add in there, highways also in the second paragraphs where we said whether the proceeds are utilized for sports and convention facilities, highways, education, you name the purpose. What I'm trying to say here and this is co-sponsored by everyone on Council on it. I tried to communicate with everyone's office on this. If I made mistake, please say so now. What we're trying to say is, it's the wrong thing to do under any circumstances. We're going to lose much more than we could possibly gain. We're going to lose by the increase in under-aged drinking, we're going to lose when you increase consumption of alcohol, and we're going to lose lives and we're going to have people injured. It's the wrong thing to do. We have to find to other source. If we need to do these things, we have to find another source for the money. Our Retail Liquor Store System works and it works well and that's what this is all about and us, on Council, is trying to say that together to everyone that needs to know as they sit down in Harrisburg and consider this alternative.

The Chair:

Thank you. We don't need a formal amendment. We'll modify that resolution to add the specific reference to road construction or rehabilitation if there's no objection.

Obviously, I think a lot of us are very much in support of the resolution. Councilman Ricciardi has spoken early -- Councilman Ricciardi.

Mr. Ricciardi:

Thank you very much. First of all, I'd like to thank and commend Councilman Hertzberg for drafting this Resolution and given all of us the ability to co-sponsor it. I think it's self-explanatory. I've been in opposition of selling the State Store System here in the City of Pittsburgh here for any purpose. I really think Councilman Hertzberg has really done some research. My first priority, I was very concerned about the workers at that time. But, Councilman Hertzberg correctly points out that there's more to be concerned about, the under-aged drinking that can and could occur, the fatalities, and the increase of fatalities that these reports are showing in other states. I really thank Councilman Hertzberg for coming forward and I'm in full support of this. I think it sends a strong message to the state legislature. Because, if they're thinking about selling the State Store System in order to help us with any type of revenues or any type of projects, we should basically be saying, yes, we want your help, but we don't want the funds to come from that particular process or that particular system within the state legislature. Thank you.

The Chair:

Thank you. Again, obviously, I wholeheartedly support this Resolution. I would also ask that we work together to communicate this resolution in writing to all the elected officials, not only in the state house, in the senate, the governor, but also other municipal officials

throughout the Pittsburgh region who's communities will be adversely affected. I wasn't around for the last whiskey rebellion in Pennsylvania, but I am around for this whiskey rebellion and I can tell you one thing, not only Jim Ferlo, but this Council and a lot of other people are very much upset at this half vague proposal to sell a tremendous asset that we have, the State Store System for any notion of a baseball new stadium or the like. There are tremendous needs.

I am sick and tired of republicans that go around talking about they're against taxes, they're going to lower taxes, this is a government that want to ask money to the system from fuel, talking about raising taxes, this really is a hidden tax increase. Anybody who thinks that we're going to lose \$100 million in revenue, which is not supporting everything from senior programs to state police without replacement revenue, it will be either the increase in the wage tax in Pennsylvania or yet the business tax which is already two orneriest, is just being foolish. There are too many reasons to even discuss at this meeting in the short time that we have before we close. Obviously, I support all the points that the Councilman has made, but there are a lot of other points. There is no question that my Council District would be adversely affected with the proliferation of privately run let alone all night liquor stores operating in the neighborhoods that I represent. I don't want to see it. We have a great system and it's not broken. It's a system that run clean, well managed stores, and they are friendly to the consumer. It wasn't always the case. Certainly 20 or 25 years ago, when I can remember when you had to go to the counter at the state store and have somebody look around in the back room

under some cases looking for a bottle. That was no very conducive to consumers. If you look around, we have some of the nicest stores, especially, as it relates to the sale of wines, being a promoter of Italian Red Wines that I am. The fact of the matter is, we have some great stores, they're well managed, they're a tremendous asset to the community, they are major players in holding together very vibrant commercial strip district corridors, like strip malls and local business districts or mainstays in the neighborhoods that we represent, they're well run, well managed and they pay a good wage. Is it so bad that people own a decent living wage in the commonwealth? Does the whole darn state have to work for minimum wage? Is that what the governor wants? We have quality jobs. Not only those workers, but all the related businesses, from commerce to transportation. I don't know if you can add up all the related people that benefit financially from the opportunity of employment in commerce as a result of us having a monopoly. In this case, it's a people's monopoly, it's a good thing, it's not a bad thing. These people that whine about they can't find this bottle of wine or they don't like this bottle of scotch, that's just a bunch of bologna, that is just not the case for anybody who frequents the right liquor store in and near their area. It would be a terrible thing to lose. Again, there is going to be a whiskey rebellion, but it's not going to be about taxations on whiskey, it's going to be on the public maintaining and controlling their destiny over this project that has benefited so many people.

Any other discussion?

Roll call vote on the resolution.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bill is unanimous. We will communicate it as proudly and as vocally as we can in the next few weeks.

Any other discussion?
Councilman O'Connor then Mr. Udin.

Mr. O'Connor:

Just for general discussion. I, again, support the bill. A lot of business people say, well it will be easier and you can make it available. You still see kids drinking six packs, but you very seldom see them having the hard liquor. So, I think it's a real key safety issue if nothing else, all the economic benefits as you've said. What would be the process, though, in Harrisburg? What would it require as far as a vote of the legislators?

The Chair:

There are several proposals in Harrisburg. They would all, as my understanding, would require basically a simple majority of the house and the senate forwarded to a sympathetic governor then it would happen. There's no need for a referendum and there's no need for public hearings. The republicans are in control both the house, the senate

and at the governor's level that's what so dangerous right now about this period.

Mr. O'Connor:

It behooves everyone in Pennsylvania. And, again, just what Mr. Hertzberg said, the survey 70 percent survey agreed with us that they have to lobby not just democrats but republicans. Again, it's not just an economic thing, but it's a safety issue for our children and people all over the state. Our traffic statistic show how much safer it is in Pennsylvania with these laws. My point is to let people know if the survey is saying, and I think it's right, 70 percent of the people don't want to sale them, they should lobby all their legislators so it isn't one vote, we lose by one vote.

The Chair:

Thank you. That's a very good point. Councilman Udin.

MR. UDIN motioned to televise the Telecommunication's post-agenda.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

I think we actually did that last week with a couple of other post-agendas that are upcoming. But, thank you for bringing it up.

Are there any other matters to be brought before the Body?

We do have public hearing scheduled on Virginia Avenue in Councilman Hertzberg's district later this

month. If there are any other meetings that we need to schedule, please let me know as well. Councilman Cusick's bill on the Parking Pad legislation has been scheduled to come back with a report and recommendation. All be it a modification and we'll move on that.

I do want to take the time to have the public record reflect the untimely passing of Officer George Swanson. He's a friend to many of us here around this table and certainly to many colleagues among the police force and police bureau. George is a tremendous individual. A tragic death and passing being only, I believe, 50 years old. Our hearts go out to his family and certainly all of his friends and his sisters and brothers that wear the blue uniforms in this City. George was a fighter and certainly with his other colleague, Pat Macdamer, they were an interesting pair. The leadership of the FOP, all be it, they had a different style and a different grace about them. A lot of us will miss George, he was a heck of a fighter and, again, our condolences go out to out to his family.

Any other discussion or matter to be brought before the Body? Councilman Udin.

Mr. Udin:

Yes, Mr. President, I would also add our condolences to the family of Mossy Murphy, a great Pittsburgh historic figure.

The Chair:

Thank you very much.

With that, this legislative session stands adjourned. Thank you.

Stenotype Reporter:

Transcribed by: Lenora Johnson

Mr. Cusick:

No new papers, Mr. President.

The Chair:

Thank you. Councilman Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Cusick:

No new papers, Mr. President.

The Chair:

Thank you. Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman.

MR. HERTZBERG PRESENTED:

No. 1579 Resolution providing for a lease agreement with Fort Hill Development Company for a space at 2318 Arlington Avenue as a Community Oriented Police Station at no rental cost to the City. The City shall assume the cost of utilities, not to exceed \$85.00 per month.

Which was read and referred to the Committee on Lands, Buildings and Procurement.

MR. HERTZBERG motioned to waive Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill

was introduced so that the bill will be on the agenda on Wednesday.

MR. CUSICK seconded the motion.

Which motion prevailed.

The Chair:

Councilman Hertzberg for Councilwoman McDonald, Committee on Housing, Economic Development and Promotion

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman.

MR. HERTZBERG FOR MS. MCDONALD PRESENTED:

No. 1580 Resolution providing for an Agreement or Agreements with Agencies that operate Emergency Shelters for the homeless in the City of Pittsburgh, so as to provide for the payment of rehabilitation, maintenance, operation, insurance, utilities, furnishings, homeless prevention, and essential services of said Agencies, at a total costs not to exceed \$582,000.00, chargeable to and payable from the Emergency Shelter Grant Program "ESGP Fund", Account 500000, fund 2620, Org. 110000, Sub-Class E1996, Budget Year 1997.

Which was read and referred to the Committee on Housing, Economic Development and Promotion.

The Chair:

Street and Natchez Street in the 19th Ward, 2nd Council District of the City of Pittsburgh.

MR. RICCIARDI motioned to waive Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

Which motion prevailed.

Also,

No. 1585 Resolution Granting unto Ernest J. Sota, 507 West Main Street, Carnegie, Pennsylvania 15106, his successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, concrete steps and landing on a portion of the right-of-way on Jane Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Also,

No. 1586 Resolution Granting unto Patricia Rethage, 131 Hackstown Street, Pittsburgh, Pennsylvania 15203, her successors and assigns, an encroachment to construct, maintain and use at her own cost and expense, a driveway and guardrail on a portion of the right-of-way on Hackstown Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

MR. RICCIARDI motioned to waive Rule 8 on the last two bills that were read

by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

If the first bill is a vacation, please make sure the adjoining property owners are aware of the issue because we are attempting to expedite the bill apparently.

Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you.

MR. UDIN PRESENTED:

No. 1587 Resolution Providing for the issuance of a \$1,249.94 warrant in favor of Martin R. Coyne in settlement of claim for an accident involving a City EMS truck.

MR. UDIN motioned to waive Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Also,

No. 1588 Resolution Providing for the issuance of a warrant in the amount of \$940.00 in favor of Paul and Cynthia Rosenberg in settlement of claim for an accident involving a City vehicle.

Also,

No. 1589 Resolution Providing for the issuance of a \$1,403.18 warrant in favor of Thrifty Car Rental Systems, Inc., c/o Don Nutt in settlement of claim for a City rental vehicle returned damaged.

Also,

No. 1590 Resolution Designating Banks and Lending Institutions to act as Depositories for the year 1997 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

Which were read and referred to the Committee on Finance and the Budget.

MR. FERLO PRESENTED:

No. 1591 Resolution Appointing Geneva Twyman as a member of the Water Exoneration Hearing Board for a term to expire January 31, 1999.

Also,

No. 1592 Communication from Tom Flaherty, City and School Board Controller, submitting the Performance Audit of the Board of Education School District of Pittsburgh, dated January 1997.

Also,

No. 1593 Communication from Tom Flaherty, City Controller, submitting the City of Pittsburgh's Single Audit Report for the year ended December 31, 1995.

Which were read, received and filed.

The Chair:

We need a motion to receive and file on the last two reports and I don't believe there should be any objection or issue raised regarding Ms. Twyman's appointment to the Water Exoneration Board. She's a wonderful community leader and professional. She's, obviously, going to be a great addition and a very fair individual to sit on the Water Exoneration Board. I've known her for many years and Councilwoman McDonald is privileged to know here also. I think others here also know here. So, I would ask for a motion to receive and file on all three.

MR. RICCIARDI motioned to received and file.

MR. UDIN seconded the motion.

Which motion prevailed.

Thank you very much. On the school audit which we just received and filed from the City Controller, I'm attempting to try to facilitate a time with the Controller regarding a post-agenda meeting. I thought it would be good to go over some of the concerns that he's raised and also allow for response from interested parties in the community. So, I'll work with my colleagues. Again, I'm trying to nail down a time for the Controller, possibly the next week and half regarding a post-agenda meeting on the performance audit and the number of

issues he's raised regarding the School Board Operation.

That concludes our Presentation of Papers. Councilman Onorato, I believe you have one or two proclamations to be read into the record. Councilman Onorato.

Mr. Onorato:

Mr. President.

The Chair:

Thank you.

PROCLAMATIONS

MR. ONORATO PRESENTS:

No. 1578 WHEREAS, Todd Richard Lewis of Boy Scout Troop 24 became an Eagle Scout on April 25th, 1996, one day before his eighteenth birthday, and

WHEREAS, Todd Richard Lewis completed 23 merit badges, two beyond the 21 required to become an Eagle Scout, and

WHEREAS, Todd built a red brick sidewalk from the rectory at Most Holy Name Church extending to the bird sanctuary, and

WHEREAS, Todd supervised the work done on this sidewalk and coordinated the donation of supplies required to complete the project. He also dug the trench, lined it with plastic and laid the red bricks for completion of the sidewalk on top of the trench, and

WHEREAS, a ceremony was held in honor of Todd Richard Lewis on

January 18, 1997 at the Most Holy Name Church School Hall, and

WHEREAS, Todd's mom is a scoutmaster and Todd is the eighth Eagle Scout in his family.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends Todd Richard Lewis for all of his hard work and dedication as a Boy Scout and congratulates him on attaining the status of Eagle Scout.

MR. O'CONNOR motioned to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. That concludes our Read and Adopted and Presentation of Papers. Are there any matters under Unfinished Business or Reports of Special Committees?

I do want to update very quickly under Unfinished Business, we've had a lot of discussions for the last year and during the budget proceedings yet again regarding the accessibility issues involving Council Chambers, itself, being the most important public facility that we have in the City Government. There are a number of issues that we've raised over the years about the accessibility for individuals who are physically challenged to both enter the room given the door predicament, the podium speaking problem, lack of appropriate podium and PA, the table area when at the Standing Committee Meeting, and the Proclamation area here which is

very difficult for people who are blind or visually impaired. There are a number of hot spots that we've highlighted. Councilman Hertzberg was nice enough to attend the meeting and offer his good suggestions. We met with a number of City Administrators from Engineering and Construction and our General Services Department and Miss Lucy Sprual who's the ADA Facilities Administrator for City Government. I think we've hammered out a number of good suggestions. They're all working on implementing those improvements. Councilman Hertzberg suggested we target the August month since there will be less use and activity in the Chambers during that period. So, we are making progress and it's our goal to have by the end of the summer these various physical improvements made to Council Chambers. Not to just come into compliance, but more importantly to recognize how important this room is to everybody in the City of Pittsburgh and that there are significant numbers of people that continue to have and view the Council Chambers as a physical barrier. We've passed too many Proclamations up here. Being advocates for the issues affecting the physically challenged individuals, we have to put our money where our mouth is to make the appropriate changes to Council Chambers. So, I want to thank the Councilman for his help on this and ask that he help me facilitate that and thank the various staffs that are working on it.

Are there any other matters?
Councilman Hertzberg.

Mr. Hertzberg:

Just to follow-up on those comments on accessibility to the Chambers I want to thank you Mr.

President for convening that meeting and, hopefully, we can stay on top of this now that we've had the meeting. We've got pretty much a blueprint of the changes that we'd like to make. I hope we can stay on top of this and really make it happen in August. I don't know how many times it's come up and nothing's happened, every year at least, at the budget times. As you've mentioned, at times when we do have disabled people here in Chamber. I thank you for looking at the issue of the door. It's a small thing, but I think it's the most important problem we have here with accessibility.

The Chair:

Thank you very much. This will be done this year one way or the other.

Any other matters to be brought under Reports of Special Committees or Unfinished Business?

If not, moving to the Reports of the Committee, Committee on Finance and the Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman.

REPORTS OF COMMITTEES

MR. UDIN PRESENTS:

Bill No. 1594

Reports of Committee for Finance and the Budget for January 29, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1536 Resolution requesting permission to periodically transfer funds from Code Account 1421-4 EMS Trust Fund Transfer, Index Code 142141, to Emergency Medical Services Trust Fund (EMSTF), Index Code 271785, for wages for EMS paramedics, crew chiefs and supervisors.

Also,

No. 1543 Resolution providing for the advertisement for proposals and to award and enter into an Agreement or Agreements and/or Contract or Contracts or use of existing Agreement(s) and/or Contract(s) for upgrades to the City's existing information system infrastructure for the purchase to include equipment, supplies, communication, hardware, and software, at a sum not to exceed \$50,000.00, chargeable to and payable from Account 540800, Fund 5100, Organization 103300, Sub-class PGHPR, Project/Grant 2251003, Budget Year 1997.

Also,

No. 1545 Resolution providing for a Contract or Contracts or the use of existing Contracts, for the provision of analysis, design, development, programming, and/or training services in conjunction with the feasibility, development, enhancement or implementation of automated systems for various City Departments and providing for the payment of the costs thereof, at a cost not exceed \$30,000.00, chargeable to and payable from Index Code 104307,

Account 526100 (Miscellaneous Services Professional), Fund 1000, Organization 103100, Sub-Class 150, Budget Year 1997.

Also,

No. 1544 Resolution providing for a Contract or Contracts or the use of existing Contracts for the acquisition of software maintenance and upgrades for PeopleSoft Software, at a cost not exceed \$304,000.00 for the Bureau of Information Systems, Department of the Mayor, payable from Index Code 104307, Account 525120, Miscellaneous Service Maintenance, Fund 1000, Organization 103300, Sub-class 150, Budget Year 1997.

Also,

No. 1546 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 1541 Resolution amending Resolution No. 1017, effective January 1, 1997, entitled, "Resolution fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof, and setting minimum levels for designated positions, by increasing the number of positions within the Bureau of Fire, Department of Public Safety".

Also,

No. 1564 Resolution amending Resolution No. 1016, effective January 1, 1997, entitled, "Resolution making

appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1997", by decreasing Code Account 44-9, Workers Compensation, Medical by \$100,283.00.

Also,

No. 1565 Resolution amending Resolution No. 1017, effective January 1, 1997, entitled, "Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels of designated positions, by increasing the number of positions within the Department of Public Safety, Police Bureau, School Crossing Guard Section.

Also,

No. 1566 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes 263, Real Property Tax and Exemption, Section 263.02, Payment Options, Discount and Delinquency Penalty, by changing subsection (a) relative to extending the discount period for the 1997 fiscal year.

Also,

No. 1573 Resolution providing for the issuance of a warrant in favor of Lexis-Nexis, P.O. Box 7247-7090, Philadelphia, PA 19170-7090, in payment for computer user research services for the City Council, at a cost not to exceed \$1,382.08, chargeable to and payable from Code Account 1003, Miscellaneous Service, Supplies and Equipment, etc., Index Code 100305, Account No. 525500,

Fund 100, Sub-class 150, Organization No. 101200, Budget Year 1996.

The Chair:

You have heard the reading and titles of the bills, is there any discussion? Councilman Ricciardi.

Mr. Ricciardi:

Thank you Mr. President and colleagues. At this time, I'd like to make a motion to amend Bill 1564. The amendment will reflect a net change of \$35,000.00 in order to fund a School Crossing Guard study which is reflected in Bill 1563.

The Chair:

I'm sorry, restate the motion Mr. Ricciardi.

Mr. Ricciardi:

The motion, Mr. President, is to amend Bill 1564 as follows. The amendment should be before everyone. Hopefully, the President has it at the podium. What is shown is that we will actually fund a study to the tune of \$35,000.00 which will be reflected in Bill 1563, the School Crossing Guard Study. This was a request made by my colleagues at the Committee Session, that the study should be funded and should actually receive a RFP through the Public Safety Department.

The Chair:

And, what will be the change for 1563 regarding the study resolution?

Mr. Ricciardi:

There will be no change in 1563, however, the amendment that I've put forward will increase Miscellaneous Services under B6, Professional Services from 291 to 326 and that will cover it.

The Chair:

Okay, I didn't have it in front of me. Thank you.

MR. RICCIARDI motioned to amend Bill 1564 as follows.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

On the bills itself, Councilman O'Connor.

Mr. O'Connor:

On the amendment, I'm going to respectfully vote no because I don't feel that \$35,000.00 is well spent on a study. I'm sure there's enough employees in the City who could handle this study and between the school board and ourselves, we should be doing it. But, I certainly support the initiative of Mr. Ricciardi.

The Chair:

We already voted on the amendment. Is there any other discussion on the bills, themselves? Councilwoman McDonald.

Ms. McDonald:

On the bills, themselves, it involves actually 1563 under a different

committee, 1564 and 1565. But, I will voting only no on Bill 1565 for the reasons that I expressed last week. I don't feel that we should just throw nine crossing guards out there for whatever reason. There's nine Councilmembers, I think there should be some relativity there. If there's a crossing guard that is needed in a crisis, I would more than be happy to vote for a crossing guard as needed, but not for nine before we even have conducted a study. I feel that before we go forward with allocating monies and for additional crossing guards, we do need to have the study, I don't want to put the cart before the horse. I would rather wait for the study and conduct it expeditiously. I appreciate Councilman O'Connor's comments because I do believe -- this is the first time I saw the amendment, \$35,000.00. I think that's a little much for a study, I don't think it should cost that much and hopefully it won't but, hopefully, we can put those monies back where they belong or reallocate them somewhere else.

Again, I'll be voting only no on Bill 1565, not because I do not feel we need more crossing guards, but I would rather have the study before me, let the study indicate how many we need and do it all at one time. We may need twelve, but I'd rather do it all at one time and not put the cart before the horse. I do applaud Councilman Ricciardi's efforts in addressing this because it is a concern for the safety of our children. In that vain, he has my commendation. It's just a technicality to my vote.

The Chair:

Councilman Cusick then Mr. Onorato.

Mr. Cusick:

Thank you Mr. President. First of all, I just want to commend and thank Councilman Ricciardi for bringing up Bill 1565. I think that when we're dealing with our children's public safety it's an issue that we just cannot halt or stop thinking about enough. I really appreciate Councilman Ricciardi bringing this forward and giving us the opportunity to do something about the public safety of our children when they're living the schools.

The Chair:

Thank you. Councilman Onorato.

Mr. Onorato:

I guess, point of clarification. I do want to register before we go onto the next vote, a no on the amendment. I thought this was a different bill. I am going to vote for the bill, but for the funding of guards, I don't want to support the funding of the study. I have a no on the amendment, but I recognize it's still going to pass. It's part of the bill, I thought it was separate.

The Chair:

Is there anybody else who's specifically wants to appropriately record their vote on the amendment as a no, other than Mr. Onorato and Mr. O'Connor, just to clarify that? Okay, the amendment still stands as approved not withstanding the two objections.

Any other discussion? We're going to down the row then, Councilman Cohen from Public Safety, Chair, then

we'll go right down the row again to Mr. Hertzberg.

Mr. Cohen:

Thank you President. I share the concerns of Councilwoman Valerie McDonald on this point. I guess I come out in a slightly different way, though. And, that is that my understanding and, maybe, the sponsor could speak to this if he doesn't mind. My understanding is that a study would be completed prior to the deployment of school guards. I commend the sponsor of the bill, Councilman Ricciardi. I think it's necessary. I certainly, as the Public Safety Chair, gotten a lot of calls over the last several months and even a couple of years on school guards and the need for more. I guess I have two issues. One is to make sure that this is done in a reasonable way and that there be a study prior to actually deploying those school guards. The other issue that I have is the one that I brought up last Wednesday which is that the school guards be able to communicate with emergency services if there is some type of tragedy which occurs. We have gotten a memo from Kathy Crouch of Public Safety on how to fund those. But, I would like to see both of these done together if at all possible.

The Chair:

Thank you. Just on that specific issue, we are following up with a cellular proposal back to the Administration and, hopefully, that will come back to Council for some further action.

Mr. Cohen:

Councilman Ricciardi, if you don't mind, if you could speak to that issue for

me on whether there is a review of the locations prior to deploying these school guards.

Mr. Ricciardi:

Thank you colleagues. To be perfectly frank with this Body, my initial reaction and position was to immediately place on the streets nine additional School Crossing Guards throughout the City of Pittsburgh at nine so-called "hot" intersections. I think we all know what intersections need to be placed. However, I respect the legislative process and I also realize that we need cooperation with the Administration in order to just not do this on paper, but to see it come true in the neighborhoods. Because of that, my initial reaction was to fund nine additional school crossing guards, let's put them at the needed intersection and, at the same time, let's pursue this study. At the time, I had no money in to do the study, to be perfectly honest with everyone, I thought we could do it in house. However, I picked up some information and some opinion from this Body and also the Administration. In order to make sure that three bills had passed, I had agreed that yes, let's move ahead with this study and then see what the study first shows as Mr. Cohen had, if you recall, proposed. I thank you for that because it was because of that suggestion, the Murphy Administration, obviously, decided yes we'll go ahead with the change and funding, support the change and funding. In essence, what we're doing is, yes, we're going to do a school crossing guard study here in the City of Pittsburgh, it's going to touch many variables. How many crossing guards we have out there now, what intersections are they covering, where does all the school buses stop, what information can we work with and

additional funding needed from the State or School board, how we can work on seeing which intersections need to be covered either by the union themselves or by the workers themselves or work with the Mt. Oliver Borough, for example. The Mt. Oliver Borough in no way contributes to this but there are school stops in the Borough itself. At the same time, we need to move ahead with the nine positions because if the study does show that we need additional school crossing guards here in the City of Pittsburgh, we have to have slots for them. So, what we're doing is we're moving with the study at a cost of \$35,000.00. I think it's way more than enough. The Administration believes they'll only spend anywhere from \$10,000.00 to \$15,000.00 and we'll still have the ability to move on the nine.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. I ask for my comments from last Wednesday's meeting to be brought forward. With respect to the funding for the study through Mr. Ricciardi's amendment, I voted yes, I support that. I support all of this. I support the nine additional positions and the additional funding. But, knowing that, unfortunately, nothing at all might happen as a result of this, we do need to amend the budget to allow for the possibility of it happening but, the Mayor's Office will ultimately control what, if anything, happens. I know I went through a big battle in my district to get one crossing guard and there was no doubt the guard was badly needed. Talking to Councilman Ricciardi, he's having a heck of a time now, so we need to do something

to get the ball rolling here on looking at the whole picture. I commend Councilman Ricciardi for working hard to do this and I'm in full support.

The Chair:

Thank you Councilman.
Councilman O'Connor.

Mr. O'Connor:

I wish I knew if the study was \$10,000.00 or \$15,000.00 as long as the other \$20,000.00 or \$30,000.00 goes to hiring more crossing guards, I would have supported this study. I think we study things to death around here. But, I certainly want to commend Mr. Ricciardi on this very, very important legislation. I think it's one of the most important issues facing us, is the safety of our children. The school systems are growing. Pittsburgh has a wonderful school system, both private and public. One of the most request in my office is school crossing guards and more safety for our children. Not only crossing guards, but signals, the 15 mile per hour flashing lights, which are almost impossible to get. I certainly would urge this Administration to go after Harrisburg for some of this money. I get excuses all the time, such as this street doesn't fit the regulations from the State. I think we can do a lot better there. Again, I think the nine should go out. I need at least three in one of my neighborhoods already, so I can put them out tomorrow with or without a study. I'm not saying I would take all three, but I would look at the schools, working with them and put them out right away, across the City. I certainly want to commend him. I think this was really a step in the right direction and I hope by next year we'll have more.

The Chair:

Thank you Councilman. Any other discussion? Councilman Udin.

Mr. Udin:

I guess my questions are for the sponsor of the bill, Mr. Ricciardi. He may be able to clear these up. I wonder whether or not he has had discussion with the Administration to determine whether or not an outside study is necessary and if that's where the amendment comes from or can it be done inhouse? That's one question. Secondly, all of this is contingent upon a rather mysterious anticipation of some change in the state regulations that would enable us to reduce the worker's compensation medical line item by the amounts that Mr. Ricciardi has reduced it. I guess my question is, what is that that is allowing us to reduce worker's compensation and what if it doesn't happen? If it's going to happen, when is it going to happen?

Mr. Ricciardi:

Thank you very much. First colleagues, everyone realize that my initial study did not have funding in it. The question by Mr. Udin was, was that an Administration initiative that they needed some sort of dollars. At that time during the Committee Session, colleagues, you'll recall, Mr. President, it was your suggestion that if we're going to do a study that we really to fund it, if this was going to be a very sincere effort. At that time, I also talked to the Acting Director of Public Safety, Kathy Crouch, and she had believed that a study of this magnitude -- if you had a chance to look at my bill, you would see all the variables involved --

A study of his magnitude could not be done inhouse.

So, Mr. Udin in order to answer your first question where the dollar amount came from, was a suggestion by Mr. Ferlo that was agreed to by the Administration that they did need dollars to do an appropriate study. Let me also state that in the past from people I've spoken to who actually do the work out there, school crossing guard, it was a basically hit or miss situation. We have never really looked at the intersections appropriately, so that's where the dollar amounts came from. The funding mechanism that Mr. Udin is bringing out is very important. It might need to change through the year. Please keep in mind that we do transfers up to \$6,000,000.00 to \$8,000,000.00 average, per year, transferring from one account to another. I had picked the Compensation Medical because I had believed some of the reforms that were brought forward by Governor Ridge and the Legislature might have some dollar savings in medical and comp. If that doesn't come true, again, it doesn't matter because we're going to follow through all this. What basically could happen if the dollars aren't there, Mr. Udin, is that we could just transfer from another line item.

Again, not to be redundant, but according to our Budget Director, Mr. Kurcelik, who by the way have done a fabulous job, a wonderful job, on all these amendments, he's correctly pointed out to me that we have regular transfers during the year. Again, I thank everyone for all this support and all these questions, but I don't want to lose track on something that's very important because we're dealing now with terminology and we're dealing with the essence of the law. But,

I've brought this forward because at the intersection of McKinley and Brownsfield Road, several children have been hit. Two weeks ago, one girl was struck. She undergone skull surgery, she had a broken collarbone and she's going through a lot of pain and suffering. I think we don't want to lose track of the end of this bill and that is that these bills are very important to protect the welfare, health and safety of young children of our brothers and sisters, of nieces and nephews and all the young people out there. Hopefully, these are good questions, but we could really solve this during the year that's coming. Let's not lose track that there's kids out there in danger because we're not properly policing certain intersections. Thank you.

The Chair:

Thank you. Any other discussions?

I'm voting, obviously, in favor of all these bills. I want to thank Councilman Ricciardi for bringing the issues forward, all be it not during the budget proceedings. I think it's never too late to talk about the health and welfare and safety of our children. I hope, though, to be quite honest, as I've stated at the last meeting, that before additional personnel are considered, that we give some rhyme and reason to what the existing workforce is, where they're dispatched, the intersections, and what the prioritization is. There are a number of issues that really need to be looked at including input from this Council, PTA Groups, the School Administrators and the community. I would hope that we're just not going to knee jerk rush out and kind of add people to the payroll for the sake of looking good when it doesn't really, in the end, contribute in a meaningful way to making

intersections safer for small children. I very much support the need for the study. I think the Administration needs some outside assistance to do some of the management planning, a lot of the outreach that's needed. Council needs to be involved in this study and in finding the scope of services.

I don't think this should just be a school crossing guard at a particular intersection issue, per say. I think we ought to look broadly at the whole issue of school safety. For instance, this past year to the credit of the Children's Museum, they done a lot to define the safety street. Councilman Onorato's had them in here on a couple of occasions. From what I've seen now over the last several years, in particular, where we've had unfortunate tragedies, some of those tragedies occurred even when the school crossing guard was there. I hope we're going to try to develop a scope of services regarding school safety that not only looks at the whole school crossing guard, location, prioritization, dispatching issue, per say, but looks more broadly at community based safety concerns. I'll pick an example. When I leave my house at Highland Park to come downtown, I go through three school safety zones. In the last three or four years, I have never seen a vascar or police officer available in those school zones. Four years ago, we did see them on a frequent basis. I saw them in front of Rogers School on Black Street, they were at Hampton Street in Fulton School near where I live, and they were also in the school zone on Friendship near the Immaculate Conception Grade School. That hasn't happened, at least to my knowledge and I drive there four or five times at different times a day, that has not happened in at least three years that I can recall. I think there's a basic problem

about how we view school safety zones. Whether or not we're seriously utilizing all the resources that we have including the traffic division, the zone safety, and the COP Officers because any number of officers can engage in ticket writing without necessarily having vascar, per say. In a school zone, there are a number of ways in which an officer can tag. It's a hefty ticket, it's a moving violation, it's point on your insurance and what not.

So I would just hope that when we do this study, that Council's involved in helping to find the scope of services, that we draw on the talents on some other folks, such as the Children's Museum, the Safety Street folks, others from the medical communities, and the PTO Group. I just think we need to delve into a number of issues that are in and around the issue of school crossing and, generally, look broadly at the issue of how do we actually make children be more safe given the school bus situation. I know in my Council district, we've lobbied for both the school flashing sign to be added at Morningside School because of the significant change of patterns by the School Board back to Morningside School and in Fulton School, they've particularly petitioned for an additional school crossing guard. So, I just hope that we're going to look broadly at a lot of those different issues.

I still don't believe we should let the school board off the hook. We don't pay for their school security inhouse. It is true that our two million plus commitment to school crossing guards is a City operating budget, but it is really directly related to the school issue. Maybe at some point in the future, there could either be some cost sharing or some collaboration with the school board. It doesn't just have

to be our personnel, per say, doing school crossing guard. I can't understand why school security and other career professionals within the school district couldn't put on an orange vest and perform some of these activities. That's in no way to denigrate or lessen the significant role that our school crossing guards play. But, let's be realistic about the cost item here, \$18,000.00 plus times 185 school crossing guards, that's an awful lot of money. I think we have to go back to the school board and talk. Again, I think this Council needs to have it's imprint on what the scope of services is on this study because there are a lot of related issues that I think we need to try to get into regarding school safety. I hope that the Administration moves quickly on this study, first. We can argue later about the personnel issues. I want to thank Councilman Ricciardi for bringing all of these issues forward.

Any other discussion on the bills?

I continue to vote no and object to Bill 1541 regarding Mr. O'Connor's amendment on the budget. I won't belabor upon it. I've spoken at length about why I object to this. So, I just want to respectfully cast a no vote on that bill.

Any other discussion?
Councilman O'Connor first, then Mr. Cohen.

Mr. O'Connor:

On Bill 1541, the Fire Bill, first of all I want to thank Council for having the post-agenda last week and allowing the Fire Fighters and the President of their Union to come to speak for us. Again, I won't belabor it. I feel putting the positions back is very important, it's a security blanket, it protects our

neighborhoods and our fire fighters and it protects us against the possibility of closing or eliminating equipment or positions. So, I think it's the right thing to do at this time. I urge all of you to please support us.

The Chair:

Thank you Councilman.
Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. I asked for this Bill to be recommitted last week, so that we could hear from Fire Fighter President Joey King. We did that and I think that Joey King did make some good points that we need to consider. I have stood shoulder to shoulder with the fire fighters on many, many different issues over the years especially those issues regarding keeping our fire stations opened. When I was finance chair of this Council, I worked to make sure that we could put \$5,000,000.00 into the budget, real money, into the budget to keep our fire stations opened. I also joined a lawsuit against the former Mayor to make sure that we keep our fire stations opened and I will continue to work for that goal.

This bill, however, does not affect our fire stations and it does not affect the safety of our neighborhoods. It will have no impact on the fire bureau, it will have no impact on the fire fighters, and it will have no impact on the fire safety of our residents. The reason is that there is no money to fund these positions. Frankly, I think it's an empty piece of legislation that's brought forward for political purposes. It's like saying to somebody, I'm getting you a Cadillac all you have to do is pay for it. I think we need to be very

candid with our constituents and with the fire fighters in letting them know that that's the case with this bill. I'm also very concerned about the timing of this legislation. It's brought forward at a time when the collective bargaining arbitration process is moving forward. That's the judicial process and I am concerned that Council action on this legislation would interfere with that judicial process. So, because I believe that this is an empty bill and will interfere with collective bargaining, I'm going to be voting no.

The Chair:

Any other discussion?
Councilwoman McDonald.

Ms. McDonald:

Yes, while I appreciate Councilman O'Connor's concern as I had said before in the past, I cannot vote for this simply because it has not yet made sense to me. As long as I'm in office, I just simply just can't vote for something that just doesn't make sense. There is just no substance. Also, we haven't even had an arbitration ruling. I'd like to wait for that and then deal with should we open up the budget again and restaff the fire fighters for more positions. Again, it's putting the cart before the horse. I'd like to do things in a logical fashion. So, I cannot vote for this at the time and I simply do not accept any notion that the City is in jeopardy in terms of fire safety. The City is in good shape as far as fire safety is concerned. I would never go along with any proposal or legislation that would jeopardize the safety. So, that's why I'm going to be voting no on this.

Also, as a point, as I saw people at the table for the fire fighters, I didn't see

any African American representation. So, I made a couple of phone calls and I looked into it. Out of 864 fire fighters, there are only 3 African American Officers and only 75 are African Americans that are just fire fighters, that's less than 10 percent. Even our NBE, WBE quotas are more than that. It's unacceptable, I've had problems with that and, again, that also figures into my decision. I would say before I propose any openings of new positions, I would absolutely demand that this be addressed, that we have a very disproportionately number of African Americans and minority fire fighters within our fire bureau. That needs to be addressed before I go along with opening up any new positions. The hiring practices definitely needs to be addressed within that bureau.

The Chair:

Councilman Udin and then Mr. O'Connor.

Mr. Udin:

Thank you Mr. President. I guess partly in response to Councilman Cohen's characterization of this as an empty bill, I agree I think with the spirit of the Councilman's comments. But, I think that it's not empty. I think that the bill has a potential for having a damaging effect on the City's position in the arbitration process that is currently going on.

Colleagues, we engaged in a lengthy budget deliberation. We engaged in a lengthy process of reviewing the entire City structure under the Competitive Pittsburgh Task Force. We have lamented endlessly throughout 1996 on the need for the City and this Council to confront the structural deficit that is gripping this City.

We attempted to do that in the budget. Everyone at this table, including the sponsor of the bill voted in favor of the operating budget. That operating budget included a measure that would increase the number of hours that the fire fighters worked and, therefore, decreasing the number of fire fighters necessary for duty without jeopardizing the public safety. We all voted yes for that. We voted yes for trying to trim down the budget to bring it within some structural balance. Then, all of a sudden, in the middle of the arbitration, comes a bill to restore positions without funding, just empty positions. The timing, I think, is detrimental to the arbitration. The process is contradictory to the intention that we put forward in the budget and in the need for eliminating the structural deficit. I will be voting no Bill 1541.

The Chair:

Councilman Hertzberg then Mr. O'Connor.

Mr. Hertzberg:

I would like my comments from last Wednesday's meeting brought forward please. I don't understand this affecting the Collective Bargaining Process argument. Because for one thing, if a yes vote affects it, why doesn't a no vote affect it? If it affects it --

Mr. Udin:

I'd be glad to answer that Councilman if you'd like me to.

Mr. Hertzberg:

I would like you to answer that after I'm through. I want to continue to

explaining where I'm coming from. If we have a set of Collective Bargaining Arbitrators or any one Arbitrator, it's going to be influenced by matters other than what comes in front of them in their forum, we have a problem under any circumstances. We have a problem with our without this bill. And, I really don't believe that's a good argument. Of course, I don't really believe that it's a good argument that we're going to save any fire fighter's position either by passing this. But, I do believe that it does preserve a little more flexibility depending on the outcome of the Collective Bargaining Arbitration and that's why I support it.

Mr. Udin:

May I respond Mr. President?

The Chair:

Yes, Mr. Udin.

Mr. Udin:

I think that we ought to be clear that the City Budget and the posture of Councilman with regard to that City Budget, is a very important part of the Arbitration Process. The Arbitrators are looking at what the City says it has and can afford to pay all of its workers. It does that when it arbitrates any of the contract negotiations. It looks at what the City says it has in terms of revenue and expenditures. We submitted a budget that said that we are structurally out of line and we're trying to balance that. The Arbitrators are looking precisely at the budget that we passed. Now, if we send a contradictory message such as the one proposed by this, the Arbitrators are going to be confused about what our commitment to the original budget was,

that's how it affects it. We are being watched. The Arbitrators are not sitting in some cubicle somewhere completely devoid of this discussion or what's going on in Council. They are relying on the good faith of the budget deliberations and the budget that we've submitted and this is contradictory to what we've submitted, that's how it affects it.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

I believe that the process of them taking evidence has ended so that if they would take anything now it would be inappropriate. The Councilman can seize that the Arbitrators read the daily newspapers and the like and are not immune from the process.

Mr. _____:

They're not immuned Mr. President, but they've taken an oath that says that they're only going to consider what is properly in front of them.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I will mention something you said, Mr. President. I think in the debate we mentioned this, but you agreed not to hold up the budget because of it. Because the Arbitration would be held over our heads and we did want to pass the budget. We thought that every legal opinion we've had, this has nothing to do with Arbitration. I think Udin is hiding with

Mr. Miller is across the hall there, trying to hide behind that excuse of why he didn't come to the table to discuss it. They have nothing to say. This has nothing to do with the Arbitration and, again, we've checked with almost every legal opinion we could or Joe King of FOP would not have been here, we've made that perfectly clear. As Mr. Hertzberg said, it really allows the Mayor flexibility. Those positions are just there depending on how the Arbitration comes. If it doesn't come his way, the flexibility is there to put the jobs back. Ms. McDonald I would hope, what you said as far as the minority and woman participation on the fire department, if you don't vote for this, there won't be anybody hired for a hell of a long time. I hope you would support this. I hope we can hire some people. Right now, no matter what happens -- last year, we were 80 positions short in this fire department and the money was paid. That's 80 people, citizens of the City of Pittsburgh, could go to work all last year or today without any extra cost to the budget. This Mayor has refused to hire these people and I think it's a disgrace. You're perfectly right, we should be putting Pittsburghers to work and putting Pittsburghers first. There's 80 positions right now that could be filled. Depending on the Arbitration and how the outcome is, we hope to have even more. So, I would hope you would reconsider your vote. So, that we do hire an equal to represent the City of Pittsburgh and I agree with that.

The Chair:

Any other discussion?

With all due respect to my colleague, Mr. O'Connor, as I've stated before, I think this amendment is suspect based on the timing. We've just

deliberated through a lengthy budget process and anytime during the last --

Mr. O'Connor:

I hate to interrupt you. The timing is crucial because this the last week Council can put these positions back in. So, time is crucial. This week is the last week we can have a final vote on this. After this week, Council has no say in putting these positions back in the budget, it's all in the Mayor's hand. That's why one of the reasons besides you may accuse of political reasoning, the facts are that this is the last week we can do this as Councilmembers.

The Chair:

The only reference to timing was that we went through a lengthy budget proceeding in December. Anyone of us including Councilman O'Connor had the ability to articulate this concern and make a formal amendment at least three times during the month of December. As well, we did, in fact, invite the representatives not only the fire fighters, the FOP and the paramedics union representatives to the table during the budget proceedings where we engaged in a lot of different discussion involving the budget, work safety issues and the like.

I still describe this amendment as nothing more than a budget placebo. It doesn't do anything. It's a sugar coating, it's medicinal, it's has no medicinal value in terms of affecting how many fire fighters are actually going to be employed in the future in the City of Pittsburgh. It's meaningless quite frankly. I also think on a practical level it's not only unfair to the Mayor and to the Administration, it's also unfair to the fire fighters themselves. The

amendment is unfair to the Administration because they are engaged, whether we like it or not, on the homeroom Charter, the Mayor is the Chief Executive Officer of the City and is responsible for engaging in the Collective Bargaining Process. He has staked out a claim relative to certain issues involving the fire bureau, they've all been pretty well documented in the paper and in the community regarding what he would like to see in the Collective Bargaining Process. The fire fighters, themselves, have rightfully objected to that. Setting aside my own view about what the Mayor's presenting, he's engaged in that process. It's now before the Arbitration panel. They've concluded and I'd assume at some point, they'll be rendering a decision.

It's unfair to the fire fighters because we already have an as needed line item in the City budget on the fire bureau. Whether we lessen the number or whether we increase the number, you can make this number of 400, it's completely irrelevant to what the issue is before us. I'm not supporting it because I think it's unfair, grand standing and pandering and I'm just not going to engage in that. The fact of the matter is we know by law, and let alone the law but morally, that this Council has an obligation once the Collective Bargaining Agreement is concluded. We have to readdress the budget accordingly. We all know that. That's like basic Math 101, there's no issue there. When and if the Collectively Bargaining Agreement is concluded, whether they have an increase in hours, wages earned, or whatever the issue is monetarily to the budget, we know the Administration is going to have to come back to us in April, May, June and into the fall months, come back to us and change appropriate code accounts to pay for

whatever the Arbitration panel decides, whether it be an increase in wages, increase in personnel, you name it, we have to be obligated in the City budget and we have to do that by law. So, there's no issue there.

The real issue is, if the Administration or the public feels that this current Mayor is sincere about his intent upon closing fire stations, to me it's a policy issue that should be debated over the next four months. Mayor Murphy, himself, has made it very clear, I don't know if he's said it anymore clearly, that he totally opposed to closing of any fire stations in the City of Pittsburgh. I believe the Mayor and I have to take him on his word. If that's not the case, if there's people challenging his believability on that issue, that's something that really should be debated in the community.

Mr. O'Connor:

It was debated. It was debated in two of my neighborhoods. In Greenfield we had 400 citizens and in Swiss Dale Park. When that question was brought to the Mayor and the Deputy Mayors were there, they refused to answer. When they were asked specifically, will you close fire stations, they said, depending on the outcome of Arbitration. Now, that was before they found out they may have competition for Mayor's race. Now, they're flip flopping and certainly coming right to the center giving the public what they want to hear.

The Chair:

Thank you Councilman. The reason I'm raising that is, again, I think it's a question that should be debated. It's a fair question that should be asked of

anybody seeking that office. The means test is going to be believability. If the Mayor is clearly stating that he unilaterally and unequivocally opposed to the closing of fire stations, then he has to get out there and say that message. It's a believability means test. I believe the Mayor is being sincere when he states that. We know already with previous Collectively Bargaining Agreements that I have put forth minimal manning on the pieces of fire equipment that we have an obligation regarding the personnel that's on the equipment. Again, none of these issues are getting resolved by way of this amendment and that's why I object to the amendment at this time. Having said that, I'll go to Councilman Udin.

Mr. Udin:

I don't want to drag this on any longer, but I just wanted to make sure that my colleagues are clear that is not true that this the only opportunity or the last opportunity Council would have to have input into the number of fire fighter positions. The Mayor can reopen the budget at anytime during the year. Once the Mayor reopens the budget, as a result of the Arbitration ruling, we will have the opportunity to again have input on the number of fire fighters and how that will be structured. So, it's not quite true that we will not have an opportunity to do so in the future.

The Chair:

Again, just to further clarify, as I've mentioned last week, the '96 budget, this past year's operating budget, short changed the operation of the fire bureau by 2.5 million dollars. The Administration and this Council all unanimously agreed to that. We knew, however, that we probably

would not achieve those cost savings in year '96. In fact, late last year, it was clear that we did not achieve those cost savings and the Administration had to come back to this Council to appropriately amend various code accounts as Mr. Ricciardi stated early, the shifting around of various code accounts to pay legal obligations that we have. In fact, that's what's going to happen this time. Giving the budget that we approved for '97 when and if there's a resolution to the Collective Bargaining Agreement and depending on what those numbers are, we have a legal obligation, this Council, to the Administration in making the amendments to code accounts to pay the piper, there's no question there. So, this is just politics as far as I'm concerned.

Any other discussion. Councilman O'Connor you have the last word.

Mr. O'Connor:

I do have cast law because of the accusations of disappointed especially when one's an attorney who wouldn't know how read this. But, I will read it for you.

The Courts have dealt with this issue and have drawn a very fine line in distinguishing between the total number of persons on the force, not Arbitratoriable, and the number of persons on duty at a station. Also, we find that Act 111 does not remove from the scope of the admissible managerial decisionmaking that the termination of the total number of fire fighters it deems necessary for the level of fire protection it wishes to afford excisions. In other words, it has nothing to do with Arbitration.

The Chair:

We have a lot of bills on the Finance Committee including the School Crossing Guard issues that we just had a lengthy discussion on. So, please be mindful in your votes.

Any other discussion? Thank you for the debate.

If you're in favor of the Bills, please vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

BILL 1541

AYES: 5 NOES: 4

BILL 1565

AYES: 8 NOES: 1

BILL 1545

AYES: 8 NOES: 1

The Chair:

All of the bills having received the legally required number of votes, have been approved finally.

That concludes the Committee on Finance and the Budget. Moving to the Committee on Planning, Zoning and Land Use, Councilman Onorato.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman.

MR. ONORATO PRESENTED:

Bill No. 1595

Report of Committee on Planning, Zoning and Land Use for January 29, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1351 Resolution providing for the designation as a Historic District under Section 513 of Chapter 1007 of the Code of Ordinances that certain section of the East Allegheny neighborhood known as the Deutschtown Historic District, in the Twenty-third Ward, City of Pittsburgh.

The Chair:

You have heard the reading and title of the bill, is there any discussion?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill, will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bill having received the legally required number of votes, have been approved finally.

Committee on Lands, Building and Procurement, Councilman Hertzberg.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman.

MR. HERTZBERG PRESENTED:

Bill No. 1596

Report of the Committee on Lands, Buildings and Procurement for January 29, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1539 Resolution providing for an extension of Lease Agreement with DiNardo Limited of certain indoor and outdoor space for a terms of five (5) years, at \$1.00 per square foot annually.

The Chair:

You have heard the reading and title of bill, is there any discussion?

Hearing none the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
	(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bill having received the legally required number of votes, has been approved finally.

Committee on Public Safety Services, Councilman Cohen.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Mr. Cohen.

MR. COHEN PRESENTS:

Bill No. 1597

Report of the Committee on Public Safety Services for January 29, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1563 Resolution directing the Director of the Department of Public Safety to provide City Council information on school crossing guard.

The Chair:

You have heard the reading and title of the bill, is there any discussion?

Councilwoman McDonald.

Ms. McDonald:

I would like to have my comments brought forward from the Standing Committee.

The Chair:

Any other discussion? Councilman Ricciardi did you want to make any other comments?

Mr. Ricciardi:

We have the votes, just vote.

The Chair:

Sounds good to me. You have heard the reading and title of the bill, if there's no other discussion roll call vote on the bill.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo

(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bill having received the legally required number of votes, has been approved finally.

That concludes our Reports of Committees. Moving to Motions and Resolutions, any discussion?

A couple of quick housekeeping matters. First of all, I think the public will begin to see this pink leaflet each year as we know we have a continual struggle in the City for whatever reason regarding the life guards at the swimming pools. So, apparently, now, they're starting a little bit earlier. It's \$6.00 an hour. These are good job opportunities especially for college-aged kids, but you only have to be 16 years of age or older. You have to have aquatic skills and be certified. But, there are a series of training opportunities for young people to get this certification and it's only \$35.00. It's a great certification to have. I would ask that if there's anybody out there in the public interested then communicate directly to the City Parks Division at 431-9650 and any

Council Office will help facilitate getting this information out to the community. We need more life guards, we need more young people to work for the summer months. It's a good opportunity and it's a good job experience.

Secondly, just a couple of brief things. I think the public record should reflect the hard working individual that all of us, obviously, have appreciated and that's Mr. Jerry Thomas from our Budget Office. We want to thank him, more importantly, applaud him for his own professional development. Unfortunately we will miss him, he's moving to another professional assignment. Unfortunately, not here in the City of Pittsburgh. I think we want to collectively show the record our appreciation for Jerry Thomas. He's done a great job. He's a wonderful professional who's done a heck of a lot of work in our Budget Office. I know his colleagues in that office will miss him and I think all of us collectively as elected officials appreciated Jerry's contribution to the good work of this City Council Body. I want to thank all of our colleagues for their joining me in that sentiment. I think we'll give him an official letter of some sort, but I just want to the record to reflect. We want to wish Jerry all the best for his future.

One brief thing. There was a little bit of a confusion in the paper this morning regarding an award. Obviously, any violent death in the City of Pittsburgh is a tragedy. It's even more a tragedy when it seems so mysterious and just so many unanswered questions. This happened about eight doors from my house on North St. Clair Street in Highland Park and this is the murder of Salvatore, in the community he's known as Sam Brensval. It's a tragedy and,

obviously, the family is going through a lot of hardship right now. The paper, I want to thank them for listing the two scholarship funds that have been set up. There is a reward that's being offered. It's actually \$3,500.00 in total at this time. The Crime Stoppers is offering \$2,000.00 at our request and they will publicizing that reward, I believe, next week. So, the Crime Stoppers is offering \$2,000.00, the Highland Park Community Club and myself representing the district, another \$1,500.00. So, at this point, there's a \$3,500.00 reward being offered in relation to this tragedy and any information that can lead to the arrest and/or conviction of individual or individuals regarding this murder and this tragedy that happened in what is otherwise a very quite neighborhood because I live there. So, again, a \$3,500.00 reward and, obviously, any information should go immediately to the homicide division.

Any other comments? Councilman Cusick then Mr. Udin.

Mr. Cusick:

I'd just like to bring up tomorrow at our Committee Meeting, we'll be discussing the Parking Pad issue. I would just like to ask that if there are any amendments that my colleagues bring them to the table. I think this is a long overdue piece of legislation. I know a lot of people in my district are waiting for this piece of legislation to be passed. If there are some concerns or something that we can work out in regards to this, if any of my colleagues have amendments, we would appreciate if you don't want to add them prior to tomorrow's meeting, because I will be amending by substitution on the bill that was given to us by the Planning Commission. I know that it will

be further amended by myself for people in the last 24 months that have applied for parking pads and have been denied that fee be waived and that we give them an opportunity to reapply. They will, then, have an opportunity to see whether or not they fit in the criteria that we set forth. I'd like to thank a number of people and I will do that at tomorrow's meeting. Again, if there are amendments forthcoming, I'd appreciate if we get an opportunity to try to iron them out prior to that meeting.

The Chair:

I have several amendments and I know others do too. So, I would ask that please if we could communicate directly to Mr. Cusick so that we all have the amended bill from the Planning Commission and any other amendments. I would like to ask Mr. Cusick to resolve a technical bill and maybe ask the Law Department. I believe if we're going to waive the fee, which I wholeheartedly support, I want to thank you for bringing that up because I think there has to be some fairness here. Many of the individuals, not only Bellaire Place, but others have already paid a lot of money only to get no satisfaction and probably never had a chance anyway to get a parking pad. I think we need to waive that, but I think legally we probably need a separate resolution on the building code fee schedule as opposed to the zoning bill that's actually up. Maybe we can try to resolve that tomorrow. Just so whatever we do will have the force in law and we don't get -- Again, any amendments please let's try to get them out to Mr. Cusick on the table. A lot of good work has gone into this bill and we're at the point finally after many, many years of coming to a resolution and it's a good bill. I have a parking pad at my house. I didn't get into

discussion personally about my own situation, I was waiting for someone in the public to raise it. My whole half of block actually has parking pads. They were there when I brought the house seven years ago. The only reason why I support this bill is my half of block would be able to comply with the amended bill and I do not want to see a lot of people ripping out there lawns and the like to just have a parking pad. That's the character of our street. I know that our street would be able to comply with this change in the ordinance. It's a good bill, a lot of thought has gone into it and it creates a enough of a means to ask for it. It's just not going to be a situation tomorrow where everybody's all of a sudden going to rip out and have a bunch of parked cars in front of their lawns, that's not going to be the case. I want to thank Councilman Cusick and the staff for the good work and for the Planning Commission to be very deliberative in the manner in which they finessed a lot of the sensitive issues that this bill brings up. I hope that we could have the amendments tomorrow in writing so we can have, again, some more spirited debate as well we will. And, we can hopefully bring some closure to the Parking Pad Bill.

Councilman Cusick.

Mr. Cusick:

Not to belabor the comments being made and I appreciate your comments Mr. President. I will mark, I think that there is a few pieces of ordinances that have been going back and forth. Not to further confuse Council anymore than it may have already been, I will mark the final piece of legislation such as, it will say "final" on it so that we all understand which one we're voting on tomorrow. Again, if you could

forward those because we could try to limit it to some of the debate tomorrow at the table and hash this up prior to that.

The Chair:

Thank you. There's no other discussion on this bill. Councilman Udin.

Mr. Udin:

Yes, I just want to remind colleagues that we have this long awaited Telecommunications Post-Agenda that will be immediately following this Council meeting. It will take us just a few minutes to set up. But, I'd like to get started as soon as possible after that. So, if colleagues would make themselves available we'll be getting started.

The Chair:

Thank you Councilman. Is there any other discussion or any other matter to be brought before the Body?

Motion to approve the minutes presuming they're done.

MR. UDIN moved to approve the minutes.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

This legislative session stands adjourned. Thank you.

Stenotype Reporter:

Transcribed by: Lenora Johnson

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, February 11, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

The Chair:

Good morning everyone. We have a number of honored guests in the audience today. Would you please now rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased and honored to have an honor student here this morning. Deanna Smith is 12 years old. She's a 7th grader in the Milliones Middle School from Councilman Udin's District. Her

activity's teacher is here, Glenda Mayo. We're very pleased that you took the time to come down here today. We're very honored that you're here, not only as an honor student, but we know that you have also received an honor for outstanding citizenship. We thank you very much for leading us in the Pledge of Allegiance.

Dana Smith:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you Deanna very much. Our City Clerk would like to present you with a flag of our great Nation and a flag of our City. Thank you and your teacher for coming down here today.

It's a great honor and privilege at this time to call upon Councilwoman Valerie McDonald.

Ms. McDonald:

Would all the members that are participating in part of the Homewood Art Museum and the Department of Veteran Affairs War World II, Tuskegee Airmen, 92nd Infantry Buffalo Division come forward to be acknowledged and receive a resolution on behalf of City Council.

Let me read the resolution and, then, we'll get to all the names and Pat Tucker agreed to say some remarks and possibly introduce some people.

MS. McDONALD PRESENTS:

No. 1598 WHEREAS, on February 16, 1997, The Homewood Art Museum, in collaboration with the Department of Veterans Affairs and McKeesport Veterans Resource Center, will salute the veterans of World War II who were members of the Tuskegee Airmen and the 92nd Infantry (Buffalo) Division, and

WHEREAS, the participants for the event, which takes place at Soldiers and Sailors Memorial Hall, include Imhotep Drummers, Men with a Vision Performance Troupe, Braddock Community Male Choir, as well as guest soloists Demareus Cooper and Rose Marion Thomas, and

WHEREAS, the elite group of Tuskegee Airmen bravely entered battle as the first African-American fighter pilots. These skillful pilots earned a reputation for not losing bombers to enemy fighters as they provided fighter escort on bombing missions over targets in Europe. Other duties of Tuskegee Airmen included support to aircrews as maintenance, supply, personnel, and various ground support duties. They are revered for the honor with which they served, and

WHEREAS, the 92nd Infantry (Buffalo) Division, composed of many citizens of Western Pennsylvania, was called to active duty on October 15, 1942. These Buffalo soldiers, Black enlisted men and Black and White officers, were

recognized by the awarding of two Distinguished Service Crosses, 102 Silver Stars, 753 Bronze Stars of Valor, and 1,940 Purple Hearts for their missions while in Italy, and

WHEREAS, through the efforts of the Homewood Art Museum, and other supporters, the dedication of these fine soldiers will not be forgotten.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends the Homewood Art Museum for its many activities within the community and we join in honoring the Tuskegee Airmen and the 92nd (Buffalo) Division for their selfless courage while defending our nation.

MR. UDIN motioned to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Ms. McDonald:

It is, indeed, an honor. We seen it on TV on HBO and that's where I learned a lot about the Tuskegee Airmen and all that they were. I'll be frank with you, very honestly, when I watched the end of the movie I was in tears. I was just so proud of them for what they had done, their bravery, their courage and the fact that they were the elite, they were the best of the best and they still had to overcome prejudice and racism and they still did it. They were the best and still did it.

Again, it is with honor that I give this resolution on behalf of the entire Body of City Council. I'm going to introduce

Pat Tucker. I have a thousand names Pat. I'm overwhelmed here. I'm going to read all the names because this is important. Let me acknowledge who is here and, then, I'll let you look at this list and see if there's anybody that you'd like to acknowledge that couldn't be here. I also want to acknowledge that she's the one who organized this entire resolution, the information and the event. So, she is to be commended. William B. Dickerson, what does all this mean?

Let George do it. This is George Shelton, Colonel.

Mr. Shelton:

Staff Sgt. William B. Dickerson, Company C, 370 Infantry, Regt, 92nd Infantry Division; Sylvester Johnson, Company F, 371 Infantry, 92nd Division; William A. Jackson, Company D, 481st Battalion; Mose Minifield, 425 Engineer Pump Truck Company; T. Peter Graham, 669th Ord. Company, 3rd Army; Marian V. Smith, Youlman, 2nd Class Waves, Oakland Naval Base; John W. Smith, 1st Sergeant, 166th Port Company; James S. Tillman, Staff Sergeant, Company M, 370th Infantry 92nd Division; Wesley Finney, Pvt, 359 Port Company; Charles W. Tate, Captain, 99th F Squad; William L. Ford, Sergeant, 395 AAA Battalion; Paul M. Black, Pvt; Okley McGriff, Staff Sergeant, 660 Combat Truck Company; Rudolph L. Davis, Pvt, 4016 Trucking Company; George N. Charlton, Jr., Sergeant, 10th Cavalry Regiment, Enlisted. These are the original Buffalo Soldiers as everyone knows.

I retired as a Lieutenant Colonel as a Commander of the 336 Military Police Battalion out in Oakdale.

Ms. McDonald:

Thank you. Pat would you like to give some comments and talk about the event that's coming up February 16th.

Ms. Tucker:

Thank you very much. I'd like to thank the City Council for allowing us to present out sampling of our soldiers here today. I'll just briefly say that I got involved with this, I am a U.S. Army Reserve Officer, a Lieutenant Colonel in the Army Reserves. My interest was sparked in the WWII Veterans when one of my church members, Brother Johnson, brought a book to church on WWI, African Americans in WWI. I had taken a course in military history in Command and General Staff College. This is a college that they have for military officers, it's an advance course. In my military history course, there was no mention of any black soldiers or what they did. This was about '94 when Brother Johnson brought this book to church. From there, we had a small program in '95 and the response that we received and I found out that there were so many of the Buffalo Soldiers still living in Pittsburgh and I said, we have to do this again. From there I learned that there are Tuskegee Airmen and from there I learned that there was a lot of military history in Western Pennsylvania. I know we didn't reach all the soldiers, we attempted to do that. I'm doing this in part of the Homewood Art Museum because we plan to have a military gallery when we get the museum built. Hopefully, some of these soldiers would volunteer to participate in the live history so that they can inspire the young men that would like to talk to them. There is interest, even in

the what we call the gang members. When we did this program in '94, I was working in a drug rehab program for St. Francis Hospital, Adolescent Males. I brought them out to the program and they were very excited. They got autographs and they came back and they told the other residents in the group home. We shouldn't put down our youths. I hope that these group of men here can work with our troubled youth and, maybe, inspire them to want to do something with their life.

The event is at Soldiers and Sailors at 4:30 p.m. All are welcomed. We would like everyone to come out. It's free, there's no charge. It's Sunday, February 16th at 4:30 p.m. We're going to honor these men and some of their other comrades. The names have just been coming in and flowing so we're not able to honor everybody that should be, however, we'll get a large amount and we'll try to do something at a later date for the ones that we missed. Thank you very much.

The Chair:

Councilman Udin has some comments. We have to get the Colonel up here to speak, too.

Mr. Udin:

Thank you. I just wanted to congratulate all of the veterans who are here before us. We're just watching history. From the very first American Revolutionary War Confrontation, African Americans have been a part of every single military effort in the history of this country. There is no greater testament, I believe, to the right of African Americans to full citizenship and participation in every facet of American life than their

heroic service in the military history of this country. I just want to thank all of you. Especially, the history of the Buffalo Soldiers and the Tuskegee Airmen for helping to create a history that has helped to levitate the struggle of all African Americans and Americans in general. Thank you very much.

Ms. McDonald:

I also want to acknowledge, do we have spouses in the audience? We do have spouses in the audience. We have some wives out in the audience that also need to be acknowledged. Thank you for sticking by these guys during the years. Lastly, I just caught with this, Lieutenant Colonel George Charlton is going to embarrass me, but he wanted me to show you his beautiful prosona when he was first drafted. I'll tell you something, George you're just as handsome now.

Mr. Charlton:

Of course, this is before you were born, 1943. I'm proud of the Buffalo Soldiers and as a matter of fact I'm -- the 9th, 10th, 27th and the 28th, were the original Buffalo Soldiers. Of course, they were reactivated for WWII. As soon as we got overseas, we found out that we were part of Forth Battalion, the 92nd Division, Trucking Outfit or anything else that they needed because the only thing you could use horses for then was scouting and patrolling and they did use some out in the pacific. I'm proud of this. As you can see, I wear my Buffalo _____ and I have my Buffalo belt buckle. So, the Buffalo Soldiers mean a lot to me. Thank you.

Ms. McDonald:

This is Okley McGriff.

Mr. McGriff:

Quite a few of the Councilmen I already know. But, I want to say this, I cannot understand why it takes so long to get something that you sacrificed for. It took me 50 years to get my metals that I earned in WWII in Korean. I think it's disgraceful. Then, they held back the main award that I was very much looking for, the Purple Heart. I was the one who was blown up. As I was reminded here today, I can't read your writing and sometimes I can't stand still. I think it's very, very, very wrong to do the things that the government is doing to veterans today. Thank you.

Ms. McDonald:

Who else want to say something?
We're going to have two more comments.

Mr.

To the City Council and to Pat Tucker and Valerie and to our fellow comrades, I'm now a Reverend and a Minister. I can think about the times that were together and history was being made. I have been on the Lord's side every since I came off of the front line. That's what brought me to Christ, was what I went through. But, I never heard of the history about the soldiers even during the Civil War. We had many black men that served here and I didn't know it until we went up to Arlington Cemetery to get awards up there and their plots are way on the side where President Lincoln, himself, said these men, these black troops that have fought in the Union Army, I said that was great, their tombs, there are over 100 of

them and we never heard of that. All the time I was in school, I never knew. But, President Lincoln did that. So, I say, our history goes back very, very long and dear. The 90 Pursuit Squad whom we are given honor today, we were attached together. They told all about them protecting the bomber, but their greatest mission was when they were our support for the 92nd Infantry, by being Buffalo and Mountain Fighters we needed close support. The 90 Pursuit Squad is here today. They were the ones who supported us when we had no other support. So, I as I said, our history does go back. We do thank God for this honor and this privilege. I'll tell you, knowing the Lord means all, it means all. I have been working with the youth and trying to steer them in the right way. We have a lot to be proud of. I never knew that we could be so proud of the flag, that flag means something. And, we were willing to give our life. That meant something because they said, we would not fight. If we didn't know whether we was fighting, but a year and half training prepared us. God has blessed us all.

Mr. Dickerson:

My name is William Booker T. Dickerson. A little boy from Virginia, in 1943 who drifted off to the service leaving my mother, my sisters, and my brothers at that time. It was my first time away from home. In 1931, I had no shoes. They took me and gave me two pair of everything and I was proud to have that but not to be in the service. When I was invited to the White House on January 13th for the ceremony of Lieutenant Baker, who received a Congressional Metal of Honor. We served in the same Company C 370 Infantry Regt, on the same hill, the same day, on the 5th and 6th of April, 1945. I

want to thank my almighty God for bringing me safely back to this good country, the United States of America. There's no place like it.

Mr. Ford:

My name is Bill Ford and I was with 395th Anti-Aircraft Company. There's 60 of us left in Sala Udin's area to go in. Fortunately, we have the people who were involved directly in combat. But, we must remember that a lot of the African Americans were so-called in the service companies. The impact of a team trying to win a war is very important. There were airports to be built and maintained and there were roads to be built and maintained that used our military vehicles and all of these were done by African American people. We had supplies to be given, we had bridges to build, and we had boats to be unloaded and all of these were done by African Americans. These weren't the glory jobs, but they had to be done. I'd like to mention that along with this, there were other parts of the groups who were not as fortunate enough in being in the Army with a 130 guys from Pittsburgh, we were picked to be an elite unit. They never did anything with us although we excelled. Thank you.

Mr. Finney:

My name is Wesley Finney. I was attached to the first Army Division in France, but I was with the 558 Port Company. We unloaded the heavy equipment, your tanks, your guns and everything else. I was stationed there for about 2 years. I was stationed in Sherbert, France for 2 years where I helped unload those ships and everything. Then, I

transferred throughout Europe. When I parted, I parted from Atworth, Belgium and I came home from there. I was proud to serve with the 558 Port Company, 1st Army Division. I thank you all for inviting me here and all the recognition for all the soldiers. Thank you again for this wonderful occasion.

The Chair:

Thank all of you. It's a great honor to have you here in the Chambers today. Thank you.

Councilman O'Connor.

Mr. O'Connor:

I want to thank you for coming, but I really want to thank you not for what you've just done, but also the real history lesson we all got here. I think each one of you really taught us a lot in life. A history lesson that I hope a lot of people are watching so that we can pass it on. Thank you all for what you've done.

The Chair:

Councilman Cusick.

Mr. Cusick:

I, too, would like to thank you all for coming down. Not only that, but also for your commitment to this Country and to our City. I think that we as elected officials, the Mayor and other local officials need to take a look at finding a memorial that would be placed somewhere in this City where it could be recognized, such as the Korean or the Police Memorial. We really need to take a hard

look at that and work with groups such yours to make that happen.

The Chair:

Thank you all very much. I'd like to say hello to my friend from Valley View Church here today.

Thank you all. It's a great honor to have the men and women down here today. We look forward to the February 16th event.

At this time, I'd like to call upon Councilman Onorato who has a number of honored guests in the audience.

Mr. Onorato:

Mr. President, I'd also like to have Councilman Udin come forward when he's finished there. At this time, if Ms. Sarah White and Tiffany Eberhart would come forward.

This is sponsored by myself and Councilman Udin. Ms. White is an outstanding individual from the North Side and I'd like to read the Proclamation. It speaks for itself.

MR. ONORATO PRESENTS:

No. 1599 WHEREAS, Sarah White was born, in 1920 in Atlanta Georgia, and

WHEREAS, Mrs. White resides at 1243 Page Street and has been a Manchester resident for the past forty years. She has been helping to improve the community through her volunteer efforts for as long as she has lived there, and

WHEREAS, Mrs. White has been married to her husband Clarence for the past fifty one years. They have two daughters Lynn and Monica, and

WHEREAS, Mrs. White is retired from the Pittsburgh Board of Education. She is a past President and Vice President of the PTA and was actively involved with the education of her children, and

WHEREAS, Mrs. White is active today with Young Life, a program for youth nationwide. She has volunteered for Northside Common Ministries for eleven years. She has donated her time cooking meals for the homeless for the past five years at Pleasant Valley Shelter, and

WHEREAS, Mrs. White is involved with a mentoring program for young women through the Northside, Region 1, HealthyStart program. She has been involved in outreach to new mothers through the Emmanuel Episcopal Church "Friends of the Family" program for the past eight years, and

WHEREAS, Mrs. White is on the Advisory Board of the Christian Health Clinic. She also headed a program through the Urban League called "Parent Partnership" at Manchester School. Ms. White is also a Sunday school teacher, and

WHEREAS, Mrs. White volunteers her time because of her belief that individuals should give of themselves. She is self-effacing and humble and does not volunteer for personal gain. Mrs. White's hard work is done simply because Ms. White knows it is the right thing to do. She is truly a role model to today's youth. She sets an example for each of us on how

to become part of the solution and not part of the problem.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends Mrs. Sarah White for all of her volunteer work in the Manchester community.

MR. O'CONNOR motioned to adopt the resolution.

MR. CUSICK seconded the motion.

Which motion prevailed.

Mr. Onorato:

Before I hand this to you Ms. White, I just want to personally thank you. Not just for Manchester, but for all of the North Side because your programs definitely touched a lot of individuals. If I had the power to clone you, I would clone you about 100 times throughout the City, believe me. You're exactly what we're looking for and you're actually what makes this City a great place to live. On a personal note, I know you work with my office closely on the Healthy Start Program and Lynn in my office tells me the work that you do. A lot of people recognize the volunteer work and the benefit you provide to all of us and we wanted to thank you. I'd also like to have Councilman Udin come forward at this point.

Mr. Udin:

Everyone on the North Side knows Ms. White and the work that she does throughout the City and the long history of volunteerism that she represents. It represents a very important example for

others of us to follow. Especially, young people. Sometimes people are not willing to do anything for anybody else unless they're getting paid. But, Ms. White shows you can get paid in more ways than with money. We thank you very much for all the work that you have done and continue to do and for coming down and joining us today.

The Chair:

Councilman Onorato, I believe you have one to be read into the record.

MR. ONORATO PRESENTS:

No. 1600 WHEREAS, Dave Wilson is celebrating his tenth year as co-commissioner of the North Side's Old Allegheny Soccer Program, and

WHEREAS, Dave Wilson has played an active role in the growth of both the Perry Athletic Association and Old Allegheny Soccer programs by expanding the number of teams and instructional programs, and

WHEREAS, Dave Wilson expanded the program to include the North Side neighborhoods of Brighton Heights, Brightwood, Fineview, Manchester, Northview Heights, Spring View and Spring Garden, in addition to Perry Hilltop, and

WHEREAS, Dave Wilson was a moving force in the addition of sponsors to help all North Side soccer programs, and

WHEREAS, Dave Wilson encouraged and supported establishing free soccer clinics at Perry Traditional

Academy and Shady Side Academy to provide better training to all interested youth, and

WHEREAS, Dave Wilson was the primary force in introducing 11-player soccer to North Side youth through the City-Parks Soccer League Program, and

WHEREAS, Dave Wilson was instrumental in seeing that fields were lined, concession stands staffed, team pictures taken and values coached as emphatically as team skills, and

WHEREAS, Dave Wilson has played a leadership role in the service of youth in our community both as coach, volunteer, role model and physical education instructor at Shuman Center, and

WHEREAS, Dave Wilson's love for the game of soccer and the children who play it has helped the Old Allegheny Soccer Program grow to include three fields and nearly 250 children from ages 5-19.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh in appreciation for his efforts on behalf of the neighborhood children and their families hereby resolve that Saturday, February 8, 1997 shall be declared DAVE WILSON DAY in the City of Pittsburgh.

MR. HERTZBERG motioned to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. That concludes our Read and Adopted. Moving to Presentation of Papers, Committee on Public Safety Services, Councilman Cohen, Chairman.

Mr. Cohen:

No papers this morning, Mr. President.

The Chair:

Thank you Councilman Cohen. There's a little bit of confusion on the final action on the bills, I think there's a duplication of the same bill. We'll clarify that before we get to the voting period.

Councilman Cusick, Committee on Park, Recreation and Youth Policy.

Mr. Cusick:

No new papers, Mr. President.

The Chair:

Thank you Councilman Cusick. Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

PRESENTATIONS

MR. HERTZBERG PRESENTED:

No. 1601 Resolution providing for the lease agreement for a space located at 2129 Brownsville Road with the Housing Authority for the purpose of establishing a Community Oriented Police mini-station effective March 1, 1997 and renewable annually at no cost to the City other than use of telephones and telephone line maintenance.

Which was read and referred to the Committee on Lands, Buildings and Procurement.

MR. HERTZBERG moved to suspend Rule 8 by providing for the consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Also,

No. 1602 Resolution providing for the issuance of a warrant in favor of the Mattress Factory Museum in an amount not to exceed \$1,539.51, chargeable to and payable from Code Account 25, Utilities, Fund 100, Org. 999200, Sub Class 160, Yr. 1997, Acct. 568700, Department of General Services.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

Councilwoman McDonald,
Committee on Housing, Economic
Development and Promotion.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

Ms. McDonald:

I'm sorry, no new papers Mr. President.

The Chair:

Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

No new papers, Mr. President.

The Chair:

Thank you Councilman.
Councilman Onorato, Committee on
Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

MR. ONORATO PRESENTED:

No. 1603 An Ordinance approving a conditional use exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, as amended to the University of Pittsburgh for authorization to construct a three-story fraternity house

with nine sleeping rooms for a dental fraternity to be located at the intersection of University Drives "C" and "D" on the campus of the University of Pittsburgh, with parking for three automobiles, on property zoned "I-C" Institutional-Civic District, 4th Ward. 8th Council District.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

The Chair:

Councilman Ricciardi, Committee on Public Works, Water and Environmental Services.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you Mr. Ricciardi.

MR. RICCIARDI PRESENTED:

No. 1604 Resolution granting unto Smallman Brewing CO. LLC, 1100 Smallman Street, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construction, maintain and use at their own cost and expense, a balcony with five (5) steel columns, window covers, bollards, sidewalk cafe and trees on a portion of the sidewalk area on Smallman Street and a planter on 12th Street, 2nd Ward, 6th Council District.

Which was read and referred to the Committee on Public Works, Water and Environmental Services.

MR. UDIN PRESENTED:

No. 1605 Resolution providing for the issuance of a warrant in the sum of

\$30,144.17 to Peterson Consulting, One Mellon Bank, 500 Grant Street, Pittsburgh, PA 15219, covering professional services provided in the form of expert testimony in the case of Moscatiello V. City of Pittsburgh at G.D. No. 90-15247.

Also,

No. 1606 Resolution providing for the issuance of a \$2,250.00 warrant in favor of Jeffrey A. Mohny in settlement of claim for damages to claimant's vehicle due to a City tree.

Also,

No. 1607 Resolution providing for the issuance of a \$1,091.40 warrant in favor of George Ware in settlement of claim for an accident involving a City police vehicle.

Also,

No. 1608 Resolution providing for an Agreement or Agreements with Service Provider or Providers to provide all food and beverages and services in connection with the Mayor's Awards Ceremonies for City of Pittsburgh employees, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1100, Miscellaneous Services, Account 526150, Fund 1000, Sub Class 150, Organization 109330, Department of Personnel and Civil Service Commission.

Also,

No. 1609 Resolution providing that the Mayor and City Controller are hereby authorized to enter into an Agreement with Dickie, McCamey &

Chilcote, P.C. for professional legal services for the City Controller's Office, at a cost not to exceed \$80,000, chargeable to and payable from Code Account 1048, Misc. Service, City Controller's Office.

Which were read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 1610 Resolution providing for the issuance of a warrant in favor of Lexis-Nexis, P.O. Box 7247-7090, Philadelphia, PA 19170-7090, in payment for computer user research services for City Council, at a cost not to exceed \$1,594.76, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Index Code 100115, Account No. 525500, Fund 1000, Sub-Class 150, Organization No. 101100, Budget Year 1997.

Which was read and referred to the Committee on Finance and Budget.

Also,

No. 1611 Communication from Paul Hennigan, Director of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of November 30, 1996.

Which was read, received and filed.

The Chair:

Moving to Unfinished Business and Reports of Special Committees, any matter to be brought before the Body.

Hearing none, moving to Reports of Committee, Committee on Finance and the Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

REPORTS OF COMMITTEE

MR. UDIN PRESENTS:

Bill No. 1612

Report of Committee on Finance and Budget for February 5, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1567 Resolution providing for the transfer of \$25,000.00 from Real Estate, Fund 1000, Organization 999200, Subcode 150, Account 585020, into Refunds Fund 1000, Organization 999200, Subcode 150, Account 585060 within the Department of Finance.

Also,

No. 1568 Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination program for uniformed and other employees and candidates for

employment and promotion, at a cost not to exceed \$55,000.00.

Also,

No. 1569 Resolution repealing forfeiting Resolution No. 822, Item I, effective November 1, 1996 and reinstating Resolution No. 422, Item C, effective June 17, 1996, which authorized the sale of a two story brick house situated on a lot 28' x 85', known as 507 Lincoln Avenue, 12th Ward, Block 125 B, Lot 84, to Alma Hicks, for the sum of \$3,500.00.

Also,

No. 1570 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 1587 Resolution providing for the issuance of a \$1,249.94 warrant in favor of Martin R. Coyne in settlement of claim for an accident involving a City EMS truck.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Hearing none, the bills are now ready for final action.

If you're in favor of the passage of the bills, vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

BILL NO. 1568

AYES: 7 NOES: 2

The Chair:

The bills having received the legally required number of votes have been approved finally.

Committee on Public Works,
Water and Environmental Services,
Councilman Ricciardi, Chair.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you Councilman Ricciardi.

Just to clarify, in the next committee under Planning, Zoning and Land Use, regarding the Parking Pad Bill, there was some technical confusion on the written word. There's not any change of anything based on Wednesday's vote, so the proper ordinance is being submitted to you now with the no typos and no word changes.

MR. RICCIARDI PRESENTS:

No. 1613

Report of Committee on Public Works,
Water and Environmental Services for
February 5, 1997

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1584 Resolution vacating a
portion of Norton Street between Kuhn
Street and Natchez Street in the 19th
Ward, 2nd Council District of the City of
Pittsburgh.

Also,

No. 1585 Resolution granting
unto Ernest J. Sota, 507 West Main Street,
Carnegie, Pennsylvania 15106, his
successors and assigns, an encroachment
to construct, maintain and use at his own
cost and expense, concrete steps and
landing on a portion of the right-of-way on
Jane Street in the 17th Ward, 3rd Council
District of the City of Pittsburgh.

Also,

No. 1586 Resolution granting
unto Patricia Rethage, 131 Hackstown
Street, Pittsburgh, Pennsylvania 15203, his
successors and assigns, an encroachment
to construct, maintain and use at her own
cost and expense, a driveway and guardrail
on a portion of the right-of-way on
Hackstown Street in the 17th Ward, 3rd
Council District of the City of Pittsburgh.

The Chair:

You have heard the reading and
titles of the bills, is there any discussion?

Hearing none, the bills are now
ready for final action.

All in favor of the passage of the
bills, will vote aye when your names are
called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bills having received the
legally required number of votes, have
been approved finally.

Committee on Planning, Zoning
and Land Use, Councilman Onorato,
Chair.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman Onorato.

MR. ONORATO PRESENTS:

No. 1614

Report of Committee on Planning, Zoning and Land Use for February 5, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1168 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article V, Regulations, to all Districts, Section 993, Exceptions by adding specific criteria to permit Residents to construct an off-street parking stall on their property under certain conditions.

Also,

No. 1562 Resolution amending Resolution No. 969, approved December 17, 1996, entitled, "Resolution authorizing and directing the City of Pittsburgh to submit grant applications to and execute relevant agreements with the Pennsylvania Department of Conservation and Natural Resources under the provisions of the Keystone Recreation Park and Conservation Fund, and the Symms National Recreational Trails Program", so as to add additional information.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Councilman Cusick.

Mr. Cusick:

First of all, I'd like to thank Council for their input on this legislation and helping me and my staff to come to a compromise with the communities and

people that really do care about the ecstastic of our City. Having said that, I think this legislation will give us the go ahead for residents on narrow car crowded streets to erect a parking pad in their front yard. Besides the public safety issues, I think it's important that the South Hills residents won't have to fight for parking spaces or have to walk two or three blocks to their home after working an eight hour day or going to the grocery store. Residents requesting a parking pad will first have to get permission from 60 percent of their neighbors. Second, show the street is less than 27 feet in width for a two-way street or 18 feet for a one-way street, curb to curb. Three, show a majority of the property owners don't have an adequate access to their rear or side yard. This has turned out to be a very good piece of legislation. One that's long overdue for the City. We did a lot of work and negotiations with the residents on both sides of the issue. It will, hopefully, bring relief to the South Hill residents on the narrow streets and at the same time limit erection for parking pads where they don't need to be.

I just want to thank, again, my staff for helping me put this piece of legislation together. More importantly, for Councilman Cohen's input. I do appreciate his objections to some parts of the bill. But, I think we have to look at the typography of certain areas. Unfortunately, in my district, there is very limited parking on some streets. At one point in this legislation, I think we called them goat trails and that's what they are in a lot of ways. At the same time, I do appreciate Councilman Cohen's concerns because when you go out into some of the areas in which he represents, you have, maybe, five units their front yards could be

turned into parking lots if we're not safe. So, I do appreciate where you're coming from Councilman Cohen.

Again, I want to thank everyone for their input. I think this is long overdue and I'm very happy to have sponsored it.

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. I also want to commend Councilman Cusick for making significant changes from the time this bill was originally introduced. I do think that there are parts of the City and, certainly, streets in the City, that because of the typography and because of the lack of rear or side yard parking need to have parking pads, like at Pioneer Avenue and Bellaire Place. Especially, those homes that have had these parking pads for years. It just didn't make any sense to consider them illegal once they've already been done. But, that haven't been said, I still do not believe that this legislation is good for the City as a whole. The reason is it gives too much discretion to the Planning Commission. Under the bill as currently written, the Planning Commission can grant a parking pad for virtually any reason whatsoever. Even though it says those things that Councilman Cusick said, that the cartway should be no wider than 18 feet, that a majority of the lots along the block shouldn't be accessible to the rear or side yard, it says or the Planning Commission determines that physical conditions warrant creation of a front yard parking district such as but not limited to three items. So, if you read that closely, it means the Planning Commission can allow

a person to create a concrete parking pad in front of their home for any reason whatsoever. That gives too much discretion to the Planning Commission. Although it's needed in some streets in the City, like Pioneer Avenue and Bellaire Place, there are other areas in the City where having concrete parking pads come up will actually do more damage than good because they take parking off the street everytime you put a curb cut there, to allow for a front yard concrete parking pad, it takes parking off the street. Also, having these concrete parking pads sprout up like flowers, would actually really not be very ecstasically good for the City and would undermine neighborhoods. So, although I agree with Councilman Cusick and the other supporters that parking pads are necessary in certain areas, it should be just specific, limited circumstances. The way the bill is written now, they are not limited circumstances and it gives the Planning Commission the right to grant parking pads under any circumstance. For that reason, although this bill is much better than the original, I still have to vote against it.

The Chair:

Any other discussion?
Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. I'd ask that my comments be brought forward from Wednesday's meeting and I'd also like to thank everyone that participated in the process, particularly Councilman Cusick who introduced this legislation and was willing to have it undergo some radical changes starting out as an administrators exception and moving

which would have really required someone to just submit paperwork to our zoning administrator and potentially having approval at the counter as they say. It moved from that to a point where now you are required to go before the Planning Commission. After you go before the Planning Commission, to then, also take the second step of going before the Zoning Board of Adjustments. There's been quite a few changes made here and the process has become a lot more cumbersome than it was when it was introduced by Councilman Cusick. I thank him for being flexible. I thank Councilman Cohen for his input, our Director of Planning, Eloise Hirsh, the entire Planning Commission and our Zoning Administrator, Jim Brown, has worked very hard in this process. I need to be thankful for Council District 2 which I believe will benefit from this legislation. Most neighborhoods in Council District 2 suffer from severe parking problems, particularly Sheriden where I live, Mt. Washington, Duquesne Heights, can also be the beneficiary of this legislation. I can only speak for my area. I don't know all the problems of the other Council Districts and what Councilman Cohen's been referring to, but I do know that the typography and the many various conditions in Pittsburgh with all the hills and the roads, it just seem impossible how we can have roads in homes where we have homes here, but we do. I think our Planning Commission needs the discretion because there are so many things that can happen and that exist in the City that you just can never anticipate until you actually see them. I think they need that discretion. I'm not concerned that our Planning Commission would have used discretion. I think they've always acted very conservatively and very prudently in the past. I'm also not concerned about the

problem where the curb cuts eliminate on-street parking. I think, although that may very well be true, the fact of the matter is the residents are the beneficiary of that because the on-street parking that's eliminated. This results in them having off-street parking and it's, then, the residents that benefits and not the general public and visitors and anyone else that may come along and want to park there. The person then has their own spot that is used exclusively for them.

The Chair:

Councilwoman McDonald.

Ms. McDonald:

I'd like to have my comments brought forward, Mr. President and also to commend Councilman Cusick for introducing legislation and making sure that modifications are made so that it is palatable to a broad base of constituents throughout the City of Pittsburgh and not just to one specific area. It actually helps many residents. We call this City of Pittsburgh a livable City. It can be very pretty, but livable is different from pretty. Again, I just think there was a balance here with this legislation and that we can have a very nice looking neighborhood and at the same time, allow individuals in the '90s to be able to not only get around the City, but just simply park and walk within a reasonable distance to their homes. This legislation does allow for a lot more livability.

The Chair:

Any other discussion?

Obviously, I support the final bill and I want to thank Councilman Cusick, his staff and many of the community residents that spoke, the Planning Commission as well as our public hearing on this issue. This bill is not really particular to any one Council District. Everyone of us represent streets that have a particular problem and a unique set of situations regarding problem parking and limited ability to park on any given street, that's unique to everyone of our Council's District. This is a major amendment to the zoning code. Where I part company with my colleague Councilman Cohen, I don't think it's a radical bill that he's characterizing the final legislation to be. I think the final bill is fair and reasonable, but comes with it a very strict means test that any individual private property owner or groups of property owners in any given block would have to meet to ever get to the threshold of being able to take a percentage of their frontal property out for a so-called parking pad.

The first bill, obviously, I did not support. The first bill was the urban equivalent of destruction of the rain forest and that didn't get a lot of support, but I think Mr. Cusick with his leadership was willing to realize that the bill is being applied citywide to every street and district and I think he was especially cognizant of a lot of the specific criticisms and he yielded and we have much finer bill as a result of it. The final bill is not an easy thing. It's not going to open up tomorrow where everybody is going to rip out their front lawn and put a parking pad in, that's not what this bill says. There's so many limitations already in this final bill. First of all, you have to meet the 60 percent threshold of property owners. You have to be a one or two family owner occupied

resident in a given block. Getting your neighbors 60 percent to agree to it is not an easy threshold to meet. If there's a side yard or the possibility for parking in the rear, that can be clearly a reason why the Planning Commission would not approve it. There's a lengthy process to the Board Adjustment, adjoining property owners and others can object, they can proceed legally to challenge your prerogative. Again, this is a good, fair and reasonable bill. It has a lot of hurdles and lot of criteria that any individual property owner has to meet.

The zoning code is not written in concrete although I hope these parking pads are concrete, the zoning code is not written in concrete. It's a living, breathing document that has to reflect the unique changes of what the urban character of our community is and that has continually changed. The problem with this situation is that we haven't recognized the uniqueness of the problem for the last 40 years. I think we have to applaud Mr. Cusick's initiative here and recognize that we can change the bill once again. I hope that we're going to have a review of what the implementation of this bill is going to be and at the end of the next year, see what the impact has been. If we have to fine tune it and further modify the stricter parameters that Councilman Cohen and others are suggesting I think we revisit this issue in a year from now after we have some practical information under our belt. So, I applaud the initiative and I hope we are going to be supporting this bill.

Councilman Udin.

Mr. Udin:

I'm confused by a bill that I received and I'm trying to find the difference between it and the bill that's in the regular file.

The Chair:

There's really no difference. The problem is there was just a technically incorrect wording of the bill coming from last Wednesday's session. The final bill that we are voting on includes the appropriate language that we approved which, basically, subsequently were two amendments one offered by Mr. Onorato which reflects --

Mr. Udin:

My question Mr. President if I may.

The Chair:

Go ahead.

Mr. Udin:

Is there a difference between what we were handed and what's in this package?

The Chair:

I don't know what you were handed so I'm going by what --

Mr. Cusick:

If I may, Mr. President. In the bill, if you look under --

The Chair:

Are you referring to the last handout from the Clerk?

Mr. Cusick:

You will see, such as but not limited to.

Mr. Udin:

Where are you referring to Mr. Cusick?

Mr. Cusick:

Number 2 under D. It's on the final page of the legislation.

The Chair:

Excuse me. Let me explain the point of order here. Councilman Cusick, the final bill was presented by the Clerk, is that correct Ms. Wasler?

Mr. Udin:

Does that mean in the packet?

The Chair:

The final bill not the packet. The final bill that you were just handed. Does everybody have the single three sheet of the bill not in the packet?

Mr. Ricciardi:

Point of order. Mr. President, Councilman Udin's asking a good question and that is what is the difference between the last bill and the bill in the package? It appears that the wording is identical. If there's any differences, we'd like it pointed out now.

The Chair:

Let's have the Clerk clarify what she handed out. Then, Mr. Cusick clarify what the amendments were. Is there some language difference in what was technically in the packet on the table versus what the final handout was?

Ms. Johnson-Wasler:

Councilman Cohen's amendment under #3, A,B, and C. What you have in your packets does not have all of his amendment in there so we corrected that to show his entire amendment that he had made on Wednesday which is A, excessive typography, which the wording was left out, which prevents parking on lot other than front yard; 3B, Councilman Onorato's amendment, which said, restriction on parking due to fire lane or no parking designation or narrow width of cart way; C, location of utility lines which prevents access to rear or side yard.

The Chair:

That's the final bill.

Mr. Udin:

So, what's the difference?

Ms. Johnson-Wasler:

The difference was that 3A,B, and C; B had to some the correction, but A and C did not.

The Chair:

Excuse me. Councilman Cusick.

Mr. Cusick:

If I may. That was in your packet. What was wrong was on the last page of the legislation. It said, limited to, the wording should have been such as, but not limited to. In the Clerk's staff, there was an error there and we just corrected the wording. That is the only correction that was made. That should have read, such as, but not limited to in the original packet that we received this morning, it said, limited to. All we did was make sure that the language was correct, Mr. Udin.

The Chair:

Excuse me. We're very confused here. For the purposes of this vote, can we agree procedurally that we are voting on the final paper that was submitted by the Clerk which is a separate three sheets of papers, not the original bill that is technically in your packet. Councilman Udin, I'm asking procedurally. The vote will be on this document. It is a three sheet paper that was submitted to you a few minutes ago. This is the final correct wording voting based on Wednesday's vote. Is everyone clear on that? Is that true and accurate Mr. Cohen?

Mr. Cohen:

Yes, it is.

The Chair:

Is that true and accurate, Mr. Cusick.

Mr. Cusick:

Yes, that is true.

The Chair:

Thank you. So, what is in the bill whether it's the right bill or the wrong bill is not the issue right now. This is what we are voting on. Are there questions on the bill as I've just presented it procedurally? Councilman Hertzberg.

Mr. Hertzberg:

Just to comment, just to try to further clarify, it's on the final page under E, subparagraph 2, it's the second line. The words that we now have say, inclusion such as, but not limited to. We want that in the legislation, that's what we're voting on.

The Chair:

Is everyone clearly procedurally what we are voting on relative to Bill 1168? Is there any confusion or further point of clarification?

On the bill itself, since we all know what we have before us and what we are voting on, Councilman Cusick.

Mr. Cusick:

I just want to again allow my colleagues to know that there will be a piece of legislation forthcoming in regards to fees. I think it's real important that I bring this up at this point. In the very near future, I will be sponsoring a piece of legislation that for people that have applied for parking pads within the last 24 months, will get the opportunity, without additional cost to them, to reapply for their parking pads. For example, on Bellaire Place, people have not only applied but have gone through two appeal processes

and it's very unfair because we have not had a piece of legislation like this that they have to again fork out additional money to apply for a parking pad. I just wanted to let my colleagues know that that legislation is forthcoming. Thank you Mr. President.

The Chair:

Thank you Councilman. Is there any further point of clarification or any further unreadiness on the motion in the Bill 1168? Is everyone clear on the finally adopted language? Any other discussion regarding this great bill?

If you're in favor of the bill, please vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

BILL NO. 1168

AYES: 7 NOES: 1 ABSTAIN: 1

The Chair:

All of the bills having received the legally required number of votes, have been approved finally.

Moving to Committee on Housing,
Economic Development and Promotion,
Councilwoman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTS:

Bill No. 1615

Report of Committee on Housing,
Economic Development and Promotion
for February 5, 1997 transmitting sundry
resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

No. 1559 Resolution authorizing
the conveyance of vacated North Canal
Street in the 22nd Ward to the Urban
Redevelopment Authority of Pittsburgh for
no consideration.

Also,

No. 1560 Resolution authorizing
the Urban Redevelopment Authority of
Pittsburgh to expend an amount not to
exceed \$125,000.00 from the Industrial
Land Reserve Fund to convert vacated
North Canal Street to a parking lot in
furtherance of development on the North
Shore.

Also,

No. 1561 Resolution authorizing
a Cooperation Agreement or Agreements
with the Urban Redevelopment of
Pittsburgh providing for the development
of vacated North Canal Street as a parking
lot.

The Chair:

You have heard the reading and
titles of the bills, is there any discussion?

Hearing none, the bills are now
ready for final action.

All in favor of the passage of the
bills, will vote aye when your names are
called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

All of the bills having received the
legally required number of votes, have
been approved finally.

Committee on Lands, Buildings
and Procurement, Councilman Hertzberg,
Chair.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

MR. HERTZBERG PRESENTS:

Bill No. 1616

Report of the Committee on Lands, Buildings and Procurement for February 5, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1579 Resolution providing for a leasing of a space located at 2318 Arlington Avenue, Pittsburgh, Pennsylvania 15210, in the 16th Ward, from Fort Hill Development Company, owner, for the purpose of establishing a Community Oriented Police mini station, made effective March 1, 1997, and renewable annually, at no rental cost to the City. The City shall assume the cost of utilities and maintenance, at a cost not to exceed \$85.00 per month.

The Chair:

You have heard the reading and title of the bill, is there any discussion?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill, will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bill having received the legally required number of votes has been approved finally.

Committee on Public Safety Services, Councilman O'Connor, Chair.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Councilman.

MR. COHEN PRESENTS:

Bill No. 1617

Report of Committee on Public Safety Services for February 5, 1997 transmitting sundry resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

No. 1537 Resolution providing for a contract or contracts from time to time in connection with demolition and

removal of condemned buildings, at a cost not to exceed \$150,000.00.

Also,

No. 1538 Resolution providing for a contract or contracts from time to time in connection with the demolition and removal of condemned buildings, at a cost not to exceed \$550,000.00.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills, will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bills having received the legally required number of votes, have been approved finally.

Committee on Engineering and Construction, Councilman O'Connor, Chair.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you Mr. O'Connor. There was an amendment on one of his bills, and it's correctly worded in the actual bill.

MR. O'CONNOR PRESENTS:

Bill No. 1618

Report of Committee on Engineering and Construction for February 5, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1435 Resolution providing for the Right-of-Entry and Maintenance Agreement with the Pittsburgh Thermal Limited Partnership, granting the Partnership a license to install, operate, maintain, repair and remove, at its sole cost and expense a water intake structure located on Park property owned by the City of Pittsburgh and known as Clemente Park, including one 10" intake pipe and one 6" discharge pipe and further providing for a Deed of Easement granting the Partnership and right to continue the construction of the said 6" discharge pipe northward in the public right-of-way to Lacock Street.

The Chair:

You have heard the reading and title of the bill, is there any discussion?

Councilman O'Connor.

Mr. O'Connor:

I like this last part of the word, assess further fees, for the record, does not mean we could charge them whether it be \$10.00 a month or \$1,000.00 or whatever it may be?

The Chair:

This amendment is based on the concerns raised at the Wednesday's session including the issue about if we decide in the future to establish or assess a fee, we wanted to safeguard our prerogative. When the Administration develops their contract or memorandum of understanding with Pittsburgh Thermal, it has to include this language.

Mr. O'Connor:

I'd glad that's in there because before it was a fair deal with this company. You want to work with businesses, but it looked like a one-way street. I would urge the Administration to have something whether it be help the park. There's a little league field there. They are still taking part of our land and using it and there should be something it for the residents of the City.

The Chair:

We're approving a one-way pipe, but it's going to be the possibility for in the future to have an assessment of a fee which we haven't decided yet.

Councilman Ricciardi.

Mr. Ricciardi:

Thank you Mr. President. I would like an amendment to this. Since it's not in writing, I need to make a motion to waive Council's rules so that I can make a verbal amendment.

The Chair:

Can you first state what the --

Mr. Ricciardi:

Colleagues, I think the amendment should be that all future fees should not come to the City Coughers, but should go to the Pittsburgh Water and Sewer Authority. The reason for that is once this bill is voted upon, the PWSA, Pittsburgh Water and Sewer, and everyone stands up and say don't raise rates are going to lose \$400,000.00 in revenues. That's what this bill means, that PWSA will lack \$400,000.00. I believe that if we assess any further fees, those fees should not come into City Coughers, but should go to PWSA. With that feeling, I would like to make a motion to waive the rules of the City Council here. Then, my amendment will be that all fees that are assessed will go to the PWSA.

MR. CUSICK seconded the motion.

Which motion prevailed.

The Chair:

Any discussion? Roll call vote.

Mr. Onorato:

Point of procedure. Is this just on waiving on rules or on the amendment?

The Chair:

No, this is waiving the rules to allow Mr. Ricciardi to make an amendment, not in writing.

Mr. Ricciardi.

Mr. Ricciardi:

The amendment would be that we are to assess future fees, it would be, all fees would be directed to the PWSA.

The Chair:

Is there a second for discussion?

MR. ONORATO seconded the amendment for discussion.

The Chair:

Councilman Onorato.

Mr. Onorato:

With all due respect to my colleague Mr. Ricciardi, I understand where he's coming from, but I have respectfully disagree. I will be voting no on the amendment only because I'm trying to look at the bigger picture here. As we move into the next century and we're trying to create competition among the utilities and trying to lower the cost for all of our residents, be it, residential, commercial or our schools on the North Side, this is where this particular facility is located, the hospitals. The public will receive a benefit if we can create the competition. Competition is the best

regulator of fees. The PUC has proven over the years that they cannot control fees and I'm just at the point to the electric cost in this region. We heard testimony last week where this particular company competitively bid on jobs on the North Side against Equitable and the other utilities, they won some and they lost some. The point is it creates another company out there in the bidding process which has a direct and sometimes indirect benefit to the consumer and to our residents on lower utility costs. I recognize, though, that there will be an immediate hit on the Water and Sewer Authority side because of the tap in and the loss of them having to buy the water which is actually clean water that they do not need. This is water that they need just to cool down some of their equipment. So, I would ask my colleagues, hopefully, to vote this down in the spirit of the bigger picture which is lets keep competition of the utilities. If we are going to charge a fee, I think it believe it should come to the City Coughers only because this will not be an unique easement. We will charge fees on all easements or any particular easement. The rule that we have around here is when we give an easement, it's the City giving the easement. I would hope that the money would stay in the City Coughers at this point. So, I will be voting no.

Mr. Ricciardi:

If I could respond.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

I have to respect Councilman Onorato's position. However, his argument is very hollow. That is, this has nothing to do with not allowing this company to compete on the market. What I'm saying is, if we charge fee, and it will be City Council's discretion, why should that fee come into the City Coughers? Once again, we're using the PWSA as a cash cow that we've all criticized the previous Administrations for doing. That is, that if there a fee charge, and a fee if you recall is the recoup cost, there's no cost to the City of Pittsburgh to grant this easement, but there's a cost to the PWSA, the water rate payers by granting this easement. So, it goes back to the true definition of fees which has been lied down by the courts in this country. A fee is to recoup cost. No cost to the City of Pittsburgh by granting this fee, a cost to PWSA. Again, the argument made by Mr. Onorato is true, true on the front end. I'm talking about the back end when it comes to fees. Thank you.

The Chair:

First of all, procedurally, I think it's unfair to have this lengthy debate at this table. I'm going to vote no basically because I think we should have been allowed an opportunity to go back to the Standing Committee Meeting and discuss this issue which you apparently feel has merit. I think you're arguing apples, oranges and bananas quite honestly. Your main point as you articulated at the Wednesday's Standing Committee Meeting and you said it before and there is some legitimacy to your point. Your original criticism was the fact that PWSA, the Pittsburgh Water and Sewer Authority, and the rate payers continue to subsidize out of the water rate revenue base,

economic or housing development in the City of Pittsburgh. You've raised that point on several occasions and that's the contacts that you raised the argument on Wednesday as to why you did support this bill in the first place. We don't have a choice here. We made it clear and we had a legal interpretation that under the public utility commission, because Pittsburgh Thermal is a regulated interstate utility, that they have a legal ability even to the extent of using Domain Proceeding against the City. They have the legal ability to get access to the riverfront through either private or public property. In this case, it's public property. The reason why I don't support, necessarily, your amendment is that we are given the easements, not the PWSA, we are given the easement. It would be no different than the easements that we approve in the Department of Public Works for any other number of private property owners because we are the vested entity providing the easement. The quick pro should quo, obviously any fees, if there's going to be fees, should come back to the municipality, legally. Now, if at that point, when we are receipt of that fee, we decide we want to air market to PWSA or to North Side Little League Field or to North Shore cleaning up of the park which to me would be the most ideal thing, then I think we have the ability to do it. I just think you're mixing up several different issues. Procedurally, I think it's a little bit unfair to have this kind of lengthy debate now in the final hour. If anything, I'd support a recommittal if you still want to continue it, but I'm prepared to vote on the bill the way it is. This company has waited for four months, we held it up, we've had a lot of discussion, we amended it with several safeguards including addendification of this City for this pipe. Any liability would not come to the City

and safeguarding our prerogative in the future to further define and refine this issue of fees which to me is the appropriate time for us to have this debate that you have initially raised with your amendment. I will have to respectfully vote no. Councilman Cusick, Mr. O'Connor, Mr. Cohen then you can have the final word so you can clarify your amendment.

Mr. Cusick:

I think there's a lot of healthy debate that could go on and probably should go on on a Wednesday's meeting. I would ask the Chairman of the Committee, if there's no problem that we recommit and give us all an opportunity to know actually the pluses or minuses for either the PWSA or the City of Pittsburgh and that we do this in a fair forum.

The Chair:

Technically, we still have an amendment on the floor unless somebody takes it off. Mr. Cohen.

Mr. Cohen:

Thank you Mr. President. I think we have to get the issue straight here and that is what Councilman Ricciardi is proposing is not a question of whether there should be a fee or how much that fee is, but rather where that fee should go. I don't see how, frankly, this affects the whole competitive environment of the utilities. I support what the Mayor and others and Councilman O'Connor are doing with respect to making other utilities more competitive, but the only issue here is where does the money go. I think Councilman Ricciardi's point is well taken

which is the Water and Sewer Authority is losing that money in this particular transaction because this is water that the Water and Sewer Authority was supplying to this company and will not be because of this bill. Therefore, the fee should go to the Water and Sewer Authority to replace some of that money, that seems quite logical to me and I don't think it affects the competitive environment.

The Chair:

Any other discussion?
Councilman O'Connor then Mr. Onorato.

Mr. Onorato:

I would like to make a motion to recommit because --

The Chair:

We have a motion on the floor in all due respect. So, we have to dispense with the motion good, bad or indifferent.

Councilman Onorato.

Mr. Onorato:

Just to clarify one of my previous points because I can see why Councilman Cohen and Councilman Ricciardi made their comments. The only reason I talked about competitiveness, I originally thought that the amendment was going to lead to recommitting this bill which look where we're heading. Therefore, the whole discussion of should we be doing this is going to go back to the table. I was talking to Councilman Ricciardi here and that is not his intention, therefore, I agree this has nothing to do with the competitive issue I brought up, this is purely about where the

money should go. I still disagree with the amendment, but I'm ready to vote it down or up and move forward as long as we vote on the bill today.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. I support this amendment. I understand exactly what Councilman Ricciardi's talking about when I look at the squeeze that's being put on PW&SA where they're being asked to keep their rates down. At the same time, they're being asked to contribute to new development throughout this City, both commercial and residential development and they are extensive plans, there's extensive construction underway and they're being squeezed and they're being asked to keep these rates down. We're asking them today now to just walk about from a major consumer of that product that they are in the business of selling. I have no problem with voting for this amendment. Of course, it doesn't mean this company will ever be assessed any fees. It just says, if they will then Pittsburgh Water & Sewer Authority will get them.

The Chair:

If I could ask Mr. Ricciardi to respond to one question. What do you perceive that these fees would go back to if we voted to give them to PWSA?

Mr. Ricciardi:

They would go back into the operating budget which is taking the hit of

\$400,000.00. But, please keep in mind also --

The Chair:

Mr. Ricciardi, if you could respond to my question. Are you saying that they go back -- your argument is that we have to deal with the loss of revenue and your other argument was the issue of PWSA revenue always being used for development of housing. Are you saying that they would go back into that pot of money?

Mr. Ricciardi:

This \$400,000.00 comes directly out of the operating dollars, not the capital dollars. That means that PWSA would have to cut their operating cost, not borrowed money. Operating cost comes from water rates. This is a very difficult hit to take because capital dollars can be borrowed. These operating dollars we're going to either have to cut cost, become more efficient which is positive obviously, possibility even look at personal matters, in terms of can we fill that position, can we wait for _____ or God forbid do we have to lay off. This is operating dollars. As a matter of fact, please also keep in mind there is a safeguard here, City Council's legislative prerogative. That means that if there is fee assessed, this Body has to vote on it. I don't even see it occurring in the future. I just want to make sure that people realize that in the future when this Body's not here, that all of a sudden if no more revenues need to be put in the City Coughers, they don't go about to raise fees just for the City Coughers, the same things previous Administrations have done in the past.

The Chair:

So, is is your amendment just to clarify that the amendment is that it goes back to PWSA operating budget?

Mr. Ricciardi:

That's where the dollars, that's where the dollars should be put back.

The Chair:

I would simply ask that that is included in the amendment.

Any other discussion?
Councilman O'Connor.

Mr. O'Connor:

I still have a problem. We're given them part land, one of the biggest utilities coming in and taking part of the land and I don't care if it's two inches we would be quite upset. What I'm looking at and what I think you eluded to, whether they fix the Little League Field or some pay back for that park land, it doesn't have to be \$1,000,000.00. It should be some sense that here this is a two-way street, it's a two-way deal and they're helping replacing some services. I don't know if you want to add the words fees or services that they may be able to provide to the people of the North Side.

The Chair:

On Mr. Ricciardi's amendment. I'm going to respectfully abstain because I still would like more opportunity to discuss the issue in a Wednesday's meeting.

Any other discussion. Roll call vote on the amendment.

Is everybody clear on the amendment? Roll call vote.

AYES:

Mr. Cohen	Mr. O'Connor
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
	(Pres't)

NOES:

Mr. Onorato

AYES: 8 NOES: 1

The Chair:

The amendment is approved. On the bill, is there any other discussion on the bill? Mr. Ricciardi, do you have any other discussion on the bill?

Mr. Ricciardi:

No thank you.

The Chair:

Councilman O'Connor, on the bill.

Mr. O'Connor:

I need a motion to recommit so we can discuss this.

The Chair:

The motion fails for a lack of second. Any other discussion?

If you're in favor of the final bill, please vote aye. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Udin
Mr. Hertzberg	Mr. Ferlo
Ms. McDonald	(Pres't)

NOES:

Mr. Ricciardi

ABSTAIN:

Mr. O'Connor

The Chair:

You amended the bill and now you're voting no.

Mr. Ricciardi:

Can I have the floor to respond?

The Chair:

Absolutely, please.

Mr. Ricciardi:

I amended the bill because in case there are fees that the PWSA can rightfully take the dollars. Also, keep in mind and you only one part of it Mr. Ferlo, I said that this Body and this Administration and previous Administrations continue to put on a burden to the PWSA and then they continue to scream about rate increases,

which I always vote against. We now have to take on the ALCOSAN bad debt to the tune of \$2,000,000.00, please keep that on mind; and development to the tune of tens of millions of dollars. Now, you've just taken another taken another \$400,000.00 from the operating dollars. Of course, I amended the bill to make it a soft hit, hopefully. This Administration and in the future, colleagues, they continue to scream about rate increases, they better look back their votes that they've taken at this committee session and this legislative session and try to defend those votes in the neighborhoods. Thank you.

The Chair:

The Chair is confused because you just said you needed more revenue to come back to PWSA and, then, you voted no for the revenues when they come back.

Mr. Ricciardi:

Mr. President, these revenues are not going to come back because I believe this Legislative Body will never assess fees to a tune of \$400,000.00 per year. Let's be reasonable and realistic about that.

The Chair:

Any other discussion?

That concludes our Reports of Committees. Moving to Motions and Resolutions, I want to remind our colleagues that we have a public hearing this afternoon at 2:00 p.m. regarding North Shore. Councilman Onorato then Councilwoman McDonald.

Mr. Onorato:

I just want to make a comment on a problem that just happened recently in my district, but it's not unique and you all have the same problem and that is the graffiti attack up in the Brighton Heights area in the last couple of days. It hit Representative Walko's Office and about five other businesses right in the middle of main business strip of that particular neighborhood, but all of our neighborhoods get hit with this. I would just ask and hope that in addition to the reward now that's out there that any magistrate or district justice that hears this case if the people are found and caught, and they do catch these individuals once in a while, they would either utilize the part of the code that I sponsored and we passed that allows them to punish the individual not by just coming up with the money but actively making them scrub these walls down. I know President Ferlo, you and I both talked about this. If we had our way, we'd have them in uniforms so everyone in the neighborhood would know and they'd be marked. Other countries and cities have figured this out. They sound like a petty crime, but these crimes are what makes people leave the City. If we can't control the quality of life in our neighborhoods, no one wants to stay here. I hope if we find these individuals that we make an example out of them and they are forced to walk up and down Brighton Road and scrub everyone of these buildings and they have a bright orange shirt on that says, I've been found guilty of destroying property. And that everyone knows and we get all the media behind us to film them while they're scrubbing. Until we make this a serious issue, these kids or adults whoever's doing it, can get away with it. It's about time we start making an example of all these

individuals. I'm going to be pushing. I going, hopefully, testify that that's the type of punishment, I don't want their money. I want them to be exposed and embarrassed so that they will never do this again.

The Chair:

How about public amputation of the spray paint finger. Any other discussion? Councilwoman McDonald.

Ms. McDonald:

This is a different matter. I was not going to comment, Mr. President, on this because I feel it's not necessary to bring undue attention to something that is false but, unfortunately, I feel compelled at this time publicly to set the record straight on the inaccurate reporting of my attendance on Council which most people see me here just about 100 percent of the time. It was inaccurately reported on WTAE Channel 4 TV news as well as I just heard recently, KDKA Channel 2 that I had the second worse attendance on City Council. Let me just make sure that the media is correct. Not to necessarily reprimand, but if you're going to report something guys, please get the information accurate. It's only reasonable, it's only a disservice to the general public to report inaccurate information. There are three sets of meetings that Council has. One is today, Tuesday, the Legislative Meeting, by our Home Rule Charter, we are required to have 50 meetings a year. A far in excess of what is mandatory at the state and federal level. We have the most meetings that we're required to have. I think that should be a point to be made, but no one reports the other guys. We do attend those meetings. These are the most important ones because this is where you

actually vote publicly on record. According to 1996, I had 100 percent attendance, I don't think that's second worse, 100. Now, we have Standing Committees on Wednesdays on which Council discusses. That is not necessarily a mandate for us to attend, but it is certainly beneficial for us to attend those meetings since the public has an opportunity to understand where we're coming from in terms of the public discussion and the dialogue. At that, I have 92 percent attendance there. I don't think that's pretty rotten attendance. Then you have public hearings. Public hearings that are required because of the Home Rule Charter, a conditional use zoning issues, etc. We have public hearings for legislation and we have public hearings that community members can petition us for 25 signatures on any matter whatsoever. Case in point in my district, that was the Homewood Art Museum. There's been other issues, that we've had public hearings. Of those public hearings, we had 39 last year, I attended 22. That is what was reported, the non-mandated nothing in the Home Rule Charter, we don't have to go to, but you should try, those are the meetings. I was very taken aback that the media could have gotten it that wrong. So, let's set the record straight. If you're going to report it, please just do us a favor and report it accurately, that's all I ask for. Of those meetings, I can tell you right now, the public hearings, I'll be dog gone if I'm going to miss my kids graduation, two of them, I was in two places at one time guys, I should be commended for that. Two graduations all in the same morning and I'm not going to attend a public hearing and miss my kids graduation. Also, so that you know, at one of the public hearings, I was a speaker before 52 men at Western Penn, I wasn't

teaching them how to escape. I was basically motivating them on Black History month and trying to make sure that they can get lives together. Again, I just ask for a little due courtesy and if you're going to report, do me a favor and ask me about it and, then, I can make sure that you get the record straight. Thank you very much.

The Chair:

Thank you. Any other discussion?
Councilman O'Connor.

Mr. O'Connor:

I do think it looks like attendance is going to be checked and things and I think every member of Council we preset as Ms. McDonald said, whenever you were speaking to those 52 men, it probably was scheduled months or 6 weeks ahead and we all do that. But, the public hearings come up at different occasions. They may be scheduled a week ahead. The only thing we might want to look at is if those public hearings could be prescheduled. In other words, we don't schedule any on Tuesday or Wednesday morning because we know we have meetings. We may want to look at a public hearing -- most public hearings are possible be it Wednesday afternoon or Thursday morning, that way we can work out schedules ahead. Some public hearings are very important and some are less important, but at least it would give us an opportunity to work our schedules that way. I think last year was special because of all the evening meetings with the curfew bills and things like that. I think Council deserves a lot of credit. I think a lot of them were, 10 or 11 meetings, I think 90 percent of us showed up for every

one of those. Unfortunately, they not reported that way. I think if you would like at it, Mr. President, considering one of two options for public hearings, that way we can keep our schedules flexible.

The Chair:

I just don't see a need or at least I don't feel a need to be defensive in the leadership of the individual Councilmembers or the Legislative Body as a whole given the guidelines of the Home Rule Charter. The City Council of the City of Pittsburgh is the most opened, democratic, accountable, assessable, participatory, and hardworking group of elected officials in the Commonwealth of Pennsylvania. If anybody would like to debate me on that point from the league of women voters to John Craig at the Editorial Board of the Post Gazette or anybody else, you're welcomed to come and I'll set up a debate and I will show you and do it in an objective way, not subjectively to get a headline. Let's look at it objectively. Let's compare our legislative body to the elected bodies within Allegheny County, the 130 other municipalities, the state legislators and let's go through point by point. I'm very proud of this Body and the description I've just ascribed to us. I don't think we need to be defensive. I think we should move on and do the good work that we're elected to serve our constituents.

Mr. O'Connor:

Wherever I speak, I tell them, I see all of our Councilmembers at meetings day and night and a lot of it isn't in the job description, but they certainly go out of their way to help.

The Chair:

Any other discussion?

Hearing none, this legislative session stands adjourned.

Stenotype Reporter: Bridget Akyea

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MUNICIPAL RECORD

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, February 18, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

The Chair:

Good morning everyone. We have a number of honored guests in the audience today. Would you please all rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased this morning to have two young students from my Council District in Polish Hill from the Immaculate Heart of Mary's School. Christopher Schweiger is here, he's in the 4th grade

and Matthew Gigler, he's in the 5th grade. Our noted Principal is here, Cheryl Berry. Chris' dad is here, Wayne Schweiger, and we want to welcome him also. These gentlemen are going lead us in the Pledge of Allegiance.

Christopher Schweiger & Matthew Gigler:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. We want to thank Christopher and Matthew and their Principal for coming down this morning and leading us in the Pledge of Allegiance. Our City Clerk would like to present you with a flag of our great Nation and a flag of our City of Pittsburgh. Thank you very, very much.

We have a lot of guests in the audience this morning and we'll try to accommodate one gentleman who has to be in Erie very shortly. At this time, with all due respect, I'd like to call upon Councilman Bob O'Connor and, then, Councilwoman McDonald.

I do also want to welcome Mr. Art Woods and all the students from Oliver High School who are here today. They are part of the Junior Achievement. Good

morning and thank you for attending the City Council meeting.

Mr. O'Connor:

Will the family please come up. Will all the family members and guests come forward. You don't have to be shy in City Council Chambers. The Calpausic family, Sandy's husband John, Cindy, Samantha, Sharon and Nicholas. Father Richard is from Erie and he has to get back to here confessions. He probably has a long day ahead of him.

MR. O'CONNOR PRESENTS:

No. 1619 WHEREAS, after twenty years of dedicated service to the City of Pittsburgh, Sandra Verbish is entering into retirement after an exemplary career with the Bureau of Police, and

WHEREAS, over her many years with the city, she has helped keep the city that she loves safe by working as a Police Officer in the Sixth Division, and on her own time as Officer Friendly and a member of the International Association of Crime Prevention Officers, and

WHEREAS, Sandy is a model citizen of the City of Pittsburgh, evidenced by her involvement in many community organizations such as, the Shadyside Action Coalition, Squirrel Hill Urban Coalition, Hazelwood Weed and Seed, Oakland Chamber of Commerce, Squirrel Hill Business Association, and

WHEREAS, Sandy's retirement is sure to be well spent continuing her activity in the community.

THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh extends its thanks and appreciation to Sandy Verbish for her work and tireless dedication to the City of Pittsburgh for all these many years.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh proclaims Friday, February 21, 1997, as "Sandra Verbish Day" in the City of Pittsburgh.

MS. MCDONALD motioned to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Sandy, let me say a few words. This is sponsored by all Councilmembers. I want to thank you especially because I didn't know anything about blockwatches. A lot of times you hear about these things and you think, well, it just sounds good. But, really when she holds meetings, and I've seen the meetings in the neighborhoods and I urge any neighborhood or street, if you haven't done it before, you should ask Sandy. I'm sure you can still volunteers, the tips and how well she handles these meetings and the things we all learn are excellent. I want to thank you for all the people in our area for what you've done for us. Thank you.

Ms. Verbish:

Thank you. Twenty years ago when I came on the City of Pittsburgh Police Department, I was one of the first

females to walk the streets of this City as police officers. I was assigned to the old Zone 3 Station in the Strip District. I was the first females that walked into that station. We had older gentlemen in there. Now, that's something all in itself, let me tell you. Old Sergeant Donnelley took me around his shoulder and he said, kid, I'm going to show you around the station. They showed me all the little nooks and crannies of the station and, then, they took me to the bathroom. There was only one bathroom, the females had to share with the males. What they did is, they took me into the bathroom and there was two stalls, on top of one stall it said his, on top of the other stall it said hers, and on top the urinal it said, whoever gets here first. So, in 20 years I went from the bathroom to City Council. I'd say, we've all come a very long way. Thank you very much.

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. Before your pictures let me say just a few things if I may. I want to commend Councilman O'Connor for this proclamation. I just want to say that I have sat through many of meetings where Sandy Verbish has spoken and has really made a credible contribution to our neighborhoods. I could almost give your speech about crime prevention, but not nearly as good as you could. I can just say that Sandy Verbish will be sorely, sorely missed. I hope that you don't really go into retirement, but rather able to speak to many of our community groups even after retirement. Sandy, thank you so much for all dedication to this City.

The Chair:

Councilwoman McDonald, I know you have a number of guests in the audience today.

Ms. McDonald:

Would all the jazz musicians please come forward to accept a resolution. This is going to be a very special presentation to the students of Oliver High School who I'm glad came to visit me today.

First and foremost, I do want to thank my staff, Twanda Carlisle, Jeannine Salam and Ken Arnette, my staff members, for putting this all together because it was not easy to put a large group of musicians who are very busy, who have schedules that are not 9 to 5. They play in the evening. A lot of them are probably tired right now because they probably played last night, I bet you have of them are tired. I just thank all of them for coming. It's not just an honor for you all to be here, it's an honor for me to be standing here giving a resolution to you all.

MS. MCDONALD PRESENTS:

No. 1620 WHEREAS, Tuesday, February, 18, 1997, is a day of tribute to the African-American jazz artists of the City of Pittsburgh, and

WHEREAS, for African Americans, music has always been a major outlet for creative genius. It has served as a source of strength and hope during times of stress and trouble. This heritage proved of invaluable worth to the African captives as they attempted to forge a new life in a strange land, and

WHEREAS, Black musicians were revered in the community as the creators of a universe connected to neighborhood and "soul" where people could go, forget the hardships of daily life for a while, socialize and laugh, and experience joy in unique ways, and

WHEREAS, the legacy of jazz in Pittsburgh began in the Hill District and has given rise to artists that are revered across the nation and the world. Some of Pittsburgh's successful jazz artists include Billy Strayhorn, Mary Lou Williams, Billy Eckstine, Earl Hines, Phyllis Hyman, George Benson, and Stanley Turrentine, and

WHEREAS, the music of today still allows African-Americans the freedom to speak the truth and to respond to the realities of the world. The jazz musicians of the Pittsburgh area serve as our connection to the past. These musicians provide a wealth of personal experience that make them a valuable resource to the cultural community of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, honors our African-American jazz musicians of the past and present, as we celebrate their contributions to the cultural diversity of Pittsburgh.

MR. COHEN motioned to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Ms. McDonald:

I just want to say that, again, many of these names I've known when I was a child, when I wasn't interested in jazz, I wasn't interested in any other music. You know what I'm talking about, I was a kid. As time has grown upon me, I have become quite a lover of jazz, in fact, that's all I listen to anymore. It is an honor to be with people who I've known their names from the past and I now am becoming familiar with names of now, young names that are up and coming that are here to walk in the same pathways as other artists have. To keep Pittsburgh the vibrant City that it is, in terms of not only a culture diversity, but celebration of all of the talents that we have. I would like to turn the mic over to Councilman Udin and, then, I would like to ask for two individuals or whoever wants to speak to please come and speak for a few minutes. Then, Leroy Wafford who will do his thing. You're going to kick it here. We're going to live in the Council Chambers up today.

Mr. Udin:

I'll just be brief to remind Pittsburgh that jazz has made an important musical contribution to world music. Pittsburgh has been a keystone of producing and creating that music to send out to the world. What we see here today is the current youngest generation of world musicians who are keeping alive the culture and the genius of jazz music. I know them all. I love you all. I'm one of your biggest fans. Keep doing what you're doing because it's a very important contribution to the entire world. Thank you.

Ms. McDonald:

Before anyone speaks, I'd like to introduce the list of attendees that I have. Because I'm just going to be reading it, I want for each person to acknowledge by either stepping forward or raising their hand or something so that the City of Pittsburgh whoever's watching will know who you are. They hear you, but a lot of times they don't see your faces. They appreciate it, but they need to see who's behind the instrument. We have Al Dowe, trombone; Charles (Chuck) Austin, trumpet; John Hughs, piano; Edda Cox, vocalist; Jesse Kemp, pianist; Quintin Vance, guitar; Roger Humpheries, drums; Harold Betters, trombone; Leroy Wafford, drums and vocal; Derrick Finch, pianist; Bill Cambrill, organ; Kenny Fischer, sax; Rubby Young, pianist and organist; Eric Johnson, guitar; Dave Pallow, base; Tom Evans, singer; and a very young, very, very, very talented artist, Brian Edward, drummer. We do have some guests of them in the audience. Kathy is one and we have Brian's dad, Assistant Superintendent of the County Police, Craig Edwards, who I understand is a musician himself.

Roger do you want to speak.

Mr. Humpheries:

I would like to say something also brief just to remind everybody how we got here as adults. You must keep the music programs through our school systems even if you do have to raise a little tax or take off something else from another place. You'd be surprise how much of a friend an instrument can be to a child. Therefore, if he grow up and keeps on playing his instrument, he can become a legend like we all are. Thank you very much.

Mr. Austin:

I want to thank Valerie and the City. I'm Chuck Austin the President of the Afro American Jazz Preservation Society. We are former members of Local 471 and we're trying to unite some of the older members of the union so that some of the younger people coming along will have some idea of just what we had to offer. I'm two years shy of being a lifetime member in the union. I've been playing music all over the City. I've done a lot of traveling with rock and roll bands, unfortunately. I do know that we have a heritage here in this City and our organization is trying to bring this about so that a lot of people, particularly the youngster who are out here now, you need to know about what we went through and our experiences in the past. Some of what Ms. McDonald was saying in the Proclamation is very pertinent to what we have to offer from our organization. We are the roots, we are the historians, and we have a very bonified message to give to the City of Pittsburgh and, hopefully, we'll get our word out. Thank you very much.

Ms. Cox:

My name is Edda Cox. For the past almost 9 years with the Al Dow Quartet and through Gateway to Music, we've been going out to schools and performing. We call our program is the vocal journey in African American music. We forget about the young children. They are exposed to television, but they don't get to see live performers. We want to keep this in our schools and to educate our children because they're what we have to look out for. That's what's coming up. To keep jazz music alive in the City of Pittsburgh. There are all kinds of venues.

We just don't utilize everything that we have here, the talent, the people and also the young minds that can be molded into being wonderful citizens of Pittsburgh. From the female side of jazz, there are a lot of females in jazz, too, so don't forget about us.

Ms. McDonald:

We'll do it next month Edda. Women's History Month, we're going to work with you on that.

Mr. Betters:

Good morning, I'm Harold Betters. I just want to say that I think it's very nice and I'd like to thank the Council people and her staff for inviting and acknowledging these fine musicians. It's good to see so many artists. I'm one of the old timers. Some of the olders have really made it possible for the young musicians to get exposed. We want to thank, as this is Black History Month, our great artist like Billy Eckstine, Louie Armstrong, and J.J. Johnson who made it possible for us to get exposure and we hope to train some of you young people out there and keep you in music. I want to thank you.

Mr. Finch:

Hello, ladies and gentlemen. My name is Derrick Finch. I'm representing some of the younger musicians. I just wanted to say thank you for leading the path and teaching us. Please keep it going because people like me, we really like to learn and continue on. Thank you.

Mr. Wafford:

Hello, how is everyone doing? I'm suppose to behalf which I always do anyway. I'd like to thank you for honoring everyone here because we do work hard at trying to bring some type of happiness in a world of chaos. So, when you here jazz and you hear blues, it's all a part of the same thing. Part of unity because music transcends all boundaries. There's no color or anything in music, it's just the music and it's what you perceive in it that counts. If you keep the music alive and you will learn through that. That's all I have to say to you about that.

The Chair:

Thank you. Councilwoman, I don't know if you have any other artists. It's going to be a hard act to follow.

Ms. McDonald:

Alice Brooks also came. Ms. Brooks thank you.

The Chair:

Councilman O'Connor, I believe you have one to be read into the record.

Mr. O'Connor:

I'm going to hold it for next week.

The Chair:

You're going to hold it for next week. Councilwoman McDonald has a couple to be read into record.

Again, we want to thank all of you for coming down here this morning. It's a great honor for us to have you here. We, especially, want to thank all of you for

your good work with the young of our City and for putting Pittsburgh on the map with your good name and legends. Thank you very much.

MS. MCDONALD PRESENTS:

No. 1621 WHEREAS, on Sunday, February 16, 1997, the Program to Aid Citizen Enterprise (PACE) will celebrate the 25th anniversary of the Immaculate Reception, made by Pittsburgh Steeler, Franco Harris

WHEREAS, Franco Harris led the Steelers to four Super Bowl victories during which he set the standard for running backs in the National Football League. He played in nine Pro Bowls, was named MVP of Super Bowl IX, and established numerous team and league records. In 1990, he was inducted into the Pro Football of Fame; the first year he was eligible. Off the field, Mr. Harris has made great contributions to the areas of business and community involvement, and

WHEREAS, in 1968 PACE was created as a positive response to the riots in Pittsburgh. The founders envisioned an organization through which community resources could be channeled to programs in disadvantaged neighborhoods via local organizations. Since its beginning, PACE has assisted more than 200 Allegheny County agencies. No other United Way agency has undertaken such an approach that empowers disadvantaged and minority communities through their own grassroots organizations, and

WHEREAS, through careful analysis of the needs of Allegheny County, PACE continues to build on its mission with the expansion of existing programs,

and the creation and instigation of several new ones. Some of the exciting new programs include, the PACE Opportunities Program to help motivate students to further their education, Community Based Asset Development to provide technical resources and skills to various agencies, and the Cultural Enrichment Program which provides enhanced cultural experiences for elementary school students.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh joins the Program to Aid Citizen Enterprise as it commemorates the Immaculate Reception of Franco Harris and we also commend PACE for its continued dedication to supporting our communities.

Also,

No. 1622 WHEREAS, on Saturday, February 15, 1997, the Black Women's Political Crusade is hosting its 19th Annual Valentine Sweethearts Luncheon honoring the Pennsylvania Legislative Black Caucus, and

WHEREAS, Composed of over 70 African-American elected officials, the Caucus is constantly striving to improve the quality of life and provide empowerment within the community, and

WHEREAS, the Pennsylvania Legislative Black Caucus was chosen as honorees by BWPC in order to raise community awareness. It is the goal of the Crusade to unite Pennsylvania communities from Philadelphia to Pittsburgh through increased visibility of the officials that serve them, and

WHEREAS, the Black Women's Political Crusade was started in 1978 by Cathy Irvis. When confronted by the lack of African-Americans within government, Ms. Irvis and 25 other concerned women began the organization. Their goal was to bring African-Americans into public office through selection, election or appointment. The existence of such a vital Pennsylvania Black Caucus is an tribute to the hard work of African-Americans across the State.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends the Black Women's Political Crusade for its dedication to public service and we join in honoring the Pennsylvania Legislative Black Caucus for their many contributions to elected government.

MR. UDIN motioned to adopt the resolutions.

MR. O'CONNOR seconded the motions.

Which motion prevailed.

The Chair:

I believe Councilman Onorato has some guests here.

Mr. Onorato:

Will all the individuals from Northview Height's Citizen's Council come forward, please.

Colleagues, I take great pleasure in being able to read this Proclamation today with these individuals that are here and they'll be mentioned in the Proclamation. The last time you were in Council

Chambers we were here for a battle. It's nice to see you here for a recognition and not having to constantly put up to fight, but to be recognized for some of the good things that have been going on in your community that you are directly responsible for.

MR. ONORATO PRESENTS:

No. 1623 WHEREAS, the Northview Heights Citizen Council, Inc. has accomplished many great things for the residents of the Northview Heights community through the work of its outstanding officers and volunteers, and

WHEREAS, Ms. Patricia Bagley is the President of the NHCC and is founder of "Families United in Memory of," a program which brings families together annually to share their love and memories. Ms. Bagley is an inspiring advocate for Northview youth. She works to steer them away from drugs and to give them a helping hand. She sees no race, color, or creed, only human beings who share her love of life, and

WHEREAS, Ms. Renita Freeman is now serving as the vice-president of NHCC. Her desire is to have new beginnings for the youth of Northview Heights. She was a fundamental part of making the Youth Empowerment Program possible. She has also been a part of the Open Doors program, the Females with Pride program and she serves as an AIDS Prevention Program Coordinator, and

WHEREAS, Ms. Margaret (Vetter) Robinson is the first vice-president of NHCC. She is to be commended for her dedication as a Parent advocate for Together Strong. She helps

to make arrangements for 177 community participants each month for outings to enhance strong family ties, and

WHEREAS, Ms. Winnie Evans is serving as Treasurer of the NHCC. She is a humanitarian and has great love for children. She volunteers for the CYS board, Northview Heights Elementary School, the Youth Empowerment summer program and the Boys and Girls Scouts. Her greatest strength is her remarkable kindness, and

WHEREAS, Ms. Ester (Jean) Marshall is the Sergeant at Arms for the NHCC. She has volunteered for the past 4 years with the Senior Center in the community in Northview. She is presently active with the Girls and Boy scouts planning committee. She gives out coats to those in need and is a past volunteer for Family Health Council, and

WHEREAS, Ms. Rutha (Mae) Cutler is a member-at-large of the NHCC. She is a Parent advocate for Together Strong, which services 177 residents of Northview Heights.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate and commend the officers and volunteers of the Northview Heights Citizen Council for all of their hard work in the Northview community.

MR. HERTZBERG motioned to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Onorato:

Before I bring you up here, I just want to say it's been a rough five years since I've been on Council in Northview Heights because of some internal fighting between the leadership up there. But, that is all behind us now. We are off and running. The Housing Authority of City of Pittsburgh and the Citizen's Council are all united on one goal and that is to make Northview Heights the shiny example of what public housing communities can be like. We hope that within 12 months we are going to take all my colleagues here and other individuals upto Northview Heights to show them what public housing can be like. All the individuals here know what it was like. They tell me about the past and they're committed to bringing that back and to make it even better for the future. I want to thank all of you for never, ever giving up when it was very easy to do that. I appreciate all your hard work.

Ms. Bagley:

I'm so happy to be here along with the Board from the Citizen's Council. Yes, it has been a long, long, hard struggle. Five years ago, this would have been a dream but, today, it is a reality. I want to take this time to thank City Councilmen, the City of Pittsburgh, and the Housing Authority for believing in us and for being with us throughout our struggles. I would also like to invite you to please come to Northview Heights and see the great changes. Northview Heights is on the rise. You don't have to be afraid of Northview Heights. Northview Heights is a new name, we are now Northview Estates. We are very proud of our home. All of our pride and our dignity has been

poured into our community. Thank you so very much.

The Chair:

Councilman Udin.

Mr. Udin:

Yes, I just want to add my congratulations to that of Councilman Onorato to the residents of Northview Heights for overcoming tremendous odds and keeping the community together. I'm sure that we still haven't heard the best of Northview Heights yet.

Mr. Onorato:

Mr. President, we have one other comment here.

Ms. Marshall:

Hi, I'm Jean Marshall. I'm Sergeant at Arms up in Northview Heights Citizen's Council. Whenever we call Dan, he's there. No matter what it is, he always finds time for us. Like he said, it's been a struggle over these past few years. Also to the President, Jim Ferlo. Jim Ferlo was there for us, too, during our struggle and we would like to thank him, too, and all the Councilmembers that helped us to get where we are.

The Chair:

Thank you very much. As you know, Councilman Udin is the new member of the Board of the Housing Authority. We know that he's going to be a tremendous ally also to the good work that you're during.

I believe that Councilman Udin has some guests here.

Mr. Udin:

Thank you Mr. President. I'd like to ask all the representatives of the Project Concern Youth Dance Company to come forward. I'd also like to ask Councilwoman McDonald if she would join me.

These young ladies and gentlemen are visiting us from Boston, MA. They are a part of a youth dance company. But, more than just a dance company, they are a dance company that has a purpose. They take young people who might otherwise be at risk for involvement in delinquency and other kinds of negative activities and finds the talent within those young people and it turns that talent into strength to prevent gang activity and juvenile delinquency and negative development, and turns it into positive development. That difficult task in Boston is orgistrated by a native of Pittsburgh, Pennsylvania. Her name is Rondae Drafts. She is the daughter of Lois Drafts who is here with us today. I just want to thank Lois for that important contribution and Rondae for all of the work that she does in helping to develop young people whether it's in Boston, Pittsburgh, New York or wherever they are. It takes a village to raise a child. They're all our children and our responsibility.

MR. UDIN PRESENTS:

No. 1624 WHEREAS, Project Concern Youth Dance Company is a nonprofit organization which serves inner-city children in Boston Massachusetts, and

WHEREAS, their sixty member, hip-hop dance company was established in July of 1989 for both male and female ranging in age from four to twenty, and

WHEREAS, Project Concern's motto is "Delinquency diversion through talent development", and

WHEREAS, Project Concern aims to build a comprehensive program to answer the critical questions that our youth face today. They offer dance therapy, delinquency prevention, recreational activities, cultural history classes, self-esteem seminars, and career exploration workshops, and

WHEREAS, Rondae Drafts is the founder and Executive Director. She is a Pittsburgh native who graduated from the Pittsburgh High School of the Creative and Performing Arts. Rondae later went on to receive her Bachelor of Arts degree in Speech Communications from The Pennsylvania State University and an M.Ed. from Cambridge College.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends and congratulates Project Concern Youth Dance Company for their outstanding achievements.

MR. ONORATO motioned to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Udin:

I'd like to call on Councilwoman McDonald to add a few words if you would.

Ms. McDonald:

Thank you Councilman Udin. Again, as a friend of Ms. Kane now, I used to know her as Drafts. When I knew her as Ms. Drafts and I know Rollin Drafts. I knew the one daughter, Marcie, who teaches right now. I was her mentor when I worked at Gulf Research. I just want to commend the Youth Dance Company for their efforts in turning kids around. Children are very important. As I had said to the Oliver High School students who were here is that, kids don't understand how much of a difference they do make. A lot of policy is set in response to what they feel what they do. I told them, you can make a City or you can break a City, it's been done both ways. Again, I want to commend the dance company. And, I assume you are going to perform. I hear somebody saying yeah and somebody saying no. I have to go with Councilman Udin since he's the prime sponsor of this legislation.

Mr. Udin:

We had enough for the day.

Ms. McDonald:

Okay, we're tired then. I just want to commend you all and thank you all for coming to Pittsburgh. Thank you Councilman Udin.

Mr. Udin:

Thank you. Rondae Drafts.

Ms. Drafts:

Hi, I know that you had another performance already, but I didn't want to speak. I think that the kids speak louder than words and I think they should have their little 30 seconds, Councilman, what do you say?

Mr. Udin:

Alright, go ahead.

Mr. Udin:

Thank you very much for coming down and thank you for the performance as well.

The Chair:

Thank you and please enjoy your stay in Pittsburgh.

We have other guests in the audience. At this time, I would like to call upon Councilman Ricciardi and Councilman Cohen.

Mr. Ricciardi:

Thank you Mr. President and colleagues. Councilman Dan Cohen and I would like to invite up the following nominees/honorees. If we could have Lt. Paul Donaldson. Lieutenant is also Acting Commander at Zone 3 this month. We also have two heroic officers, we have with us Officers Robert Stowman and Edward Trapp. Also, colleagues in the audience, we have with us Debbie Stowman and Valerie Trapp, respective wives of our officers today. We also have Andrew Trapp with us, too.

Colleagues, the resolution is self-explanatory, but I'm very proud and pleased to read it today. We have so many fine City employees. Particularly, in our Departments of Public Safety. People who really put their lives on the line for others and they do it with such routine matters that it's really important for us really call it to the front when it happens.

MR. RICCIARDI AND MR. COHEN PRESENTS:

No. 1625 WHEREAS, on February 10, 1997, shortly after 6:00 a.m., a two-alarm fire broke out at 539 East Carson Street, and

WHEREAS, Police Officers Robert Stowman and Edward Trapp arrived at the scene and after witnessing a man standing in front of a second-floor window, forced their way in through a side door and led two occupants to safety as fire companies began to arrive, and

WHEREAS, Officers Stowman and Trapp, along with one of the residents, were treated at the scene by Pittsburgh paramedics for smoke inhalation, and

WHEREAS, Officers Stowman and Trapp are being honored today for their willingness to put their own lives at risk to protect the residents of the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends and applauds Officers Stowman and Trapp for their alert and heroic acts in the face of a life-threatening situation.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby proclaims Tuesday, February 18, 1997 as both "Officer Robert Stowman Day" and "Officer Edward Trapp Day" in the City of Pittsburgh.

MR. ONORATO motioned to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you. I'd like to ask our Public Safety Chairman, Dan Cohen, if he could please come forward and present the resolution.

Mr. Cohen:

Thank you Councilman. So many of our police officers perform a diligent and professional role everyday, but there are certainly times, and we try to highlight them, when officers go beyond the call of duty and Officers Stowman and Trapp had done that. I talked to them about their feelings when they were inside that house and the smoke was surrounding them. It was, obviously, a very scary moment but one where you did not hesitate to go forward, save that man in the house, and do what you needed to do. For that, I want to congratulate you both and thank Councilman Ricciardi, of course, for introducing this Proclamation. Officer Trapp congratulations. Why don't you go first.

Mr. Trapp:

I'm honored and I appreciate that Council recognize us for this. It was nice to be able to help somebody and save a man's life and it's nice to be recognized for doing that. Thank you.

Mr. Cohen:

Officer Stowman, congratulations.

Mr. Stowman:

I'd like to thank everybody that brought this together today especially Councilman Ricciardi for introducing it. I'd just like to thank everybody that was at the scene and everyone at the Zone for their support through rather a tough moment directly after the fire. Thank you once again, I appreciate it.

The Chair:

Thank you and congratulations for your good work.

I see some other guests in the audience possibly. Any other resolutions or proclamations.

With that I want to thank all of you for your leadership and your attendance this. We will now proceed with the rest of the City Council business before hand.

At this time, I will move to Presentation of Papers beginning with Councilman Cohen, Committee on Public Safety Services.

Mr. Cohen:

No papers this morning, Mr. President.

The Chair:

Mr. Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Cusick:

No new papers, Mr. President.

The Chair:

Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

PRESENTATIONS

MR. HERTZBERG PRESENTED:

No. 1626 An Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article I: Regulated Rights and Actions, Chapter 611: Alarms, Section 611.06, Permit fees by adding subsection (f) providing for an exemption to certain elderly owner-occupants.

Which was read and referred to the Committee on Public Safety Services.

The Chair:

Councilman Hertzberg for Councilwoman McDonald, Committee on Housing, Economic Development and Promotion.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

MR. HERTZBERG FOR MS. MCDONALD PRESENTED:

No. 1627 Resolution amending Resolution No. 336, effective May 17, 1996, as amended by Resolution No. 518 effective July 22, 1996, entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$117,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning" so as to change the name of one funding group.

Also,

No. 1628 Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$128,250.00.

Also,

No. 1629 Resolution authorizing the submission of an application to the Pennsylvania Department of Community

and Economic Development for the Emergency Shelter Grant Program for the fiscal year 1997.

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

The Chair:

Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

No new papers.

The Chair:

Thank you Councilman.
Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

MR. ONORATO PRESENTED:

No. 1630 Resolution providing for the implementation of a Residential Parking Permit Program (RPPP) Area "Z" in the Squirrel Hill, North Community, Council District #8, pursuant to the Pittsburgh Code Chapter 549.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

The Chair:

Councilman Ricciardi,
Committee on Public Works, Water and Environmental Services.

Mr. Ricciardi:

Thank you Mr. President.

The Chair:

Thank you Mr. Ricciardi.

MR. RICCIARDI PRESENTED:

No. 1631 Resolution amending Resolution No. 538 effective July 31, 1996, entitled, "providing for a Contract or Contracts, and/or the use of existing Contracts for the purchase of play equipment, safety surface, and related equipment/material for the renovation of play areas at Cliffside Parklet and Marshall/Shadeland Parklet, and providing for the payment thereof", by decreasing the total allocation by \$20,066.96 from \$120,000.00 to \$99,933.04.

Also,

No. 1632 Resolution granting unto Walter R. Pierce, William W. Pierce and June C. Brown, 2234 Harbor Street, Pittsburgh, Pennsylvania 15212, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a lateral under a portion of the sidewalk on Harbor Street in the 26th Ward, 1st Council District of the City of Pittsburgh.

Also,

No. 1633 Resolution granting unto Douglas L. Guy, 114 Burrows Street, Pittsburgh, Pennsylvania 15213, his successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, a driveway on a portion of the right-of-way on Dunbar Way in the 4th Ward, 6th Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

The Chair:

Councilman Ricciardi for Councilman Udin, Committee on Finance and the Budget.

Mr. Ricciardi:

Thank you Mr. President.

The Chair:

Thank you Councilman Ricciardi.

MR. RICCIARDI FOR MR. UDIN PRESENTED:

No. 1634 Resolution amending Resolution No. 29, effective February 7, 1997, entitled, "Providing for the filing of a Community Development Statement by the City of Pittsburgh with HUD for a grant in connection with the 1997 CDBG Program," so as to adjust several line items in City Council.

Which was read and referred to the Committee on Housing, Economic Development and Promotion.

MR. FERLO PRESENTED:

No. 1635 Communication from Eloise Hirsh, Director, Department of City Planning, submitting the recertification of Area "D", Central Oakland for the Residential Permit Parking Program in accordance with the Pittsburgh Code, Chapter 549.

Also,

No. 1636 Communication from Guy Costa, Executive Director of the Public Parking Authority, submitting employees names, positions and salaries as of January 1997.

No. 1637 Communication from Stanley Low, Executive Director of the Pittsburgh Housing Authority, submitting a list of names, positions and salaries of all employees of the Housing Authority as of December 31, 1996.

Which were read, received and filed.

The Chair:

If there's no issue of concern regarding the recertification of the Oakland "D" Area, Residential Sticker Parking, I need a motion to receive and file on the three bills.

MR. RICCIARDI motioned to received and file the three bills regarding the Residential Sticker Parking.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

All three are accepted and read into the record.

That concludes our Presentation of Papers. Moving to Unfinished Business, we have a matter regarding a Communication from the Mayor on his veto of Bill 1541. I would ask the Clerk to please read the veto communication.

UNFINISHED BUSINESS

No. 1637 Communication from Tom Murphy, Mayor, City of Pittsburgh, returning his veto on Bill No. 1541, entitled, "Resolution amending Resolution No. 1017 effective January 1, 1997," entitled, "Resolution fixing the number of employees and officers of the City of Pittsburgh and the rate of compensation thereof", by increasing the number of positions within the Bureau of Fire, Department of Public Safety.

The Chair:

Pursuant to Robert's Rules of Order and the Rules of City Council, the appropriate question before the Body at this time is shall the bill become a law not withstanding the objections of the Mayor.

If you're in favor of the Bill as originally sponsored by Mr. O'Connor, you would continue to vote aye. If you're opposed to the bill, you would vote no.

Basically, as you know, it would require six votes to override the Mayor's veto. At this time, I'll turn to Councilman O'Connor.

Mr. O'Connor:

I don't want to belabor this too much longer because I think a lot of time has been spent on this. Just reading this letter from the Mayor which I just received, he is admitting that his position supports the budget assumptions, I think that's a very key word, and he is rolling the dice that the arbitrator will rule in his favor. Also, again, and we've repeated this numerous times, and we have legal documents to back us up, that this does not jeopardize any proceedings for the arbitrator. Thirdly, again, he does state that this only puts the positions in and not the funding and that's correct. So, all it is protecting the positions. It would be up to the Mayor's office to find the funding depending on how the arbitrator rules. One good thing may have come from this and that is, the Mayor has admitted or put in writing that he will not close fire stations. So, I thank him for that. But, three months ago and I hope he talks to his budget director and his two deputy mayors, they haven't done that and in public meetings they have not stated that. I'm glad if nothing else came up that at least he's putting it in writing and I hope he communicates to his deputy mayors that hopefully that pledge will continue in his Administration no matter what the outcome of the arbitrators are. Also, not only to close fire stations, but to protect equipment. That was the key issue here and I'm glad, at least, it's a political year so that they are starting to make promises.

The Chair:

Any other discussion? Again, I did not vote in favor of the original bill. I think the role and function of this Council is to make clear our advocacy that no fire stations close in the City of Pittsburgh, that we maintain minimum manning of fire

equipment and we not lose any pieces of fire equipment in any of our neighborhoods and, more importantly, depending of the outcome of the Collective Bargaining Agreement, that we safeguard the health and welfare of our fire fighters to the extent that overtime is becoming increasingly a problem and call-offs. I think we need to look at the filling of vacancies within the Bureau. I believe strongly that that is where we need to focus our advocacy as a legislative body.

Any other comments or discussion? Councilman O'Connor.

Mr. O'Connor:

I want to support you on your last statement. To fill those empty positions right now, ladies and gentlemen, there are 80 positions empty and they've been empty for quite a few years. Actually, it's grown from maybe 50, 60, probably 10 a year. It's as high as 80. These men and women of the fire department are working excess of overtime. They're actually asking to get some relief. I think it's beneficial to the safety of fire fighters and the safety of our neighborhoods and our people, the people of Pittsburgh, that they do fill those positions as soon as possible.

The Chair:

Any other discussions or comments?

Again, the question before the Body is should the bill become a law notwithstanding the objections of the Mayor. Those in favor of the bill becoming a law notwithstanding the objections of the Mayor, will vote aye

when your names are called. If you continue to be opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Mr. O'Connor	

NOES:

Mr. Cohen	Mr. Udin
Ms. McDonald	Mr. Ferlo
	(Pres't)

AYES: 5 NOES: 4

The Chair:

The Mayor's veto is sustained.
The bill does not become law.

Any other discussion at this point?
If not we'll move to Reports of Committees, beginning with the Committee on Finance and the Budget, Mr. Udin, Chairman.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

REPORTS OF COMMITTEE

MR. UDIN PRESENTS:

Bill No. 1638

Report of the Committee on Finance and Budget for February 12, 1997 transmitting sundry resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

No. 1588 Resolution providing for the issuance of a \$940.00 warrant in favor of Paul and Cynthia Rosenberg in settlement of claim for an accident involving a City vehicle.

Also,

No. 1589 Resolution providing for the issuance of a \$1,403.18 warrant in favor of Thrifty Car Rental System, Inc., c/o Don Nutt in settlement of claim for a City rental vehicle returned damaged.

Also,

No. 1590 Resolution designating Banks and Lending Institutions to act as Depositories for the year 1997 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

Also,

No. 1610 Resolution providing for the issuance of a warrant in favor of Lexis-Nexis, P.O. Box 7247-7090, Philadelphia, PA 19170-7090, in payment for computer user research services for City Council, at a cost not to exceed \$1,594.76, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Index Code 100115, Account No. 525500, Fund 1000, Sub-class 150, Organization No. 101100, Budget Year 1997.

The Chair:

You've heard the reading and title of the bills, is there any discussion? Councilman Hertzberg.

Mr. Hertzberg:

On Bill No. 1590, I'm abstaining for voting due to the potential appearance of a conflict of interest because of my business relations with Bank and Lending Institutions and my private practice as an attorney.

The Chair:

Thank you. Any other discussion? Hearing none, if you're in favor of the bills, vote aye, if you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

BILL NO. 1590

AYES: 8 NOES: 0 ABSTAIN: 1

The Chair:

All of the bills having received the legally required number of votes, have been approved finally.

Committee on Housing, Economic
Development and Promotion,
Councilwoman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTS:

Bill No. 1639

Report of Committee on Housing,
Economic Development and Promotion
for February 12, 1997 transmitting sundry
resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

No. 1580 Resolution providing
for an Agreement or Agreements with
Agencies that operate Emergency Shelters
for the homeless in the City of Pittsburgh,
so as to provide for the payment of
rehabilitation, maintenance, operation,
insurance, utilities, furnishings, homeless
prevention and essential services of said
Agencies, at a cost not to exceed
\$582,000.00.

Also,

No. 1503 Resolution approving
the Redevelopment Proposal dated
December, 1996 including Modification
No. 7 to the Redevelopment Area Plan for
redevelopment activities in a portion of
Redevelopment Area No. 39, North Shore,

in the 22nd and 23rd Wards of the City of
Pittsburgh.

The Chair:

You've heard the reading and title
of the bills, is there any discussion?
Councilman O'Connor.

Mr. O'Connor:

Yes, I will be voting no on 1503.
It's quite shocking to me that we rushed
this through so quick especially when
there were so many questions from the
business community about losing their
parking lots and some senior citizens
losing their homes. What really confuses
me is the Parking Authority. We do have
a Parking Authority. They're trying to sale
garages a couple of months ago and I think
they still are and the URA is building lots
for future developments for companies
who we don't know who they are yet. I
have a lot of concerns. I've been trying to
get money for four or five years to do
Coleman Street in Greenfield. There's a
lot of things in my neighborhood that need
fixed and I just really question why we're
doing this and how it's being rushed
through.

The Chair:

Any other discussion? Hearing
none, if you're in favor of the bills, vote
aye when your names are called. If you're
opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen
Mr. Cusick

Mr. Onorato
Mr. Ricciardi

Mr. Hertzberg Mr. Udin
Mr. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

BILL NO. 1503

AYES: 8 NOES: 1

The Chair:

All of the bills having received the legally required number of votes, have been approved finally.

Committee on Lands, Buildings and Procurement, Councilman Hertzberg, Chair.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman.

MR. HERTZBERG PRESENTS:

Bill No. 1640

Report of the Committee on Lands, Buildings and Procurement for February 12, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1601 Resolution providing for the leasing of a space located at 2129

Brownsville Road, Pittsburgh, PA 15210, in the 29th Ward, from the Housing Authority, City of Pittsburgh, owner, for the purpose of establishing a Community Oriented Police mini station, made effective March 1, 1997, and renewable annually, at no cost to the City other than the use of telephones and telephone line maintenance.

The Chair:

You've heard the reading and title of the bill, is there any discussion? Councilman Cusick.

Mr. Cusick:

Real briefly Mr. President. The local community groups from the Carrick area which this bill affects had asked me to, and I have done that, talk to Councilman Udin because he sits on the Housing Authority. To ask the Housing Authority to sign this lease immediately because of the need of providing a shelter for the C.O.P. Officer and a place where the different blockbusters can meet. I want to thank Councilman Udin for helping us in regards to whole lease issue.

The Chair:

Any other discussion?
Councilman Ricciardi.

Mr. Ricciardi:

As you know, I represent a very small portion of Carrick and I'm very happy to represent that. We have a very strong block watch in the 29th Ward, which is the 29th Ward Block Watch which is headed by Joanne Herman who I think does a fabulous job with all of her

leaders and members. They've been strengthening the C.O.P. Program by working very closely with the officers, but they've been asking for a C.O.P. station. They contacted Councilman Cusick and Deborah Miscovich, Director of General Services, and both of them moved on it so rapidly. I'd like to thank both the General Service Director, Deborah Miscovich, for moving on this and also Joseph Cusick who represents the majority of Carrick. Thank you.

The Chair:

Thank you. Any other discussion? I believe I received a Communication from Michelle Boser. There was a discussion last week that this was in Arlington as opposed to Carrick or Overbrook. Nothing in my comments should be construed to suggest, or was that last week Mr. Ricciardi?

Mr. Ricciardi:

There was a bill before this Mr. President, you are correct, that we are opening up a C.O.P. station in Arlington, but it's not this particular resolution.

The Chair:

Okay. Any comments I made last week at the Standing Committee Meeting was directed, specifically, to an ongoing criticism and concern that I have and other colleagues regarding the effectiveness of the C.O.P. Program as it relates to officers being overly present in the office as opposed to being out in the beat and being interactive with the merchants, the residents, and the block watch committees. I, certainly, spend a lot of time working with my block watch committees and

applaud the interaction. That's what Community Orienting Policing is to me. It's not manning or staffing a C.O.P. mini office. It's an occasional place that can be used organizationally but, the priority and the emphasis of the officer needs to be, and we have many shining examples of the effectiveness of the program and the officers involved. But, the program needs to be interactive and collaborative with the merchants, the residents, and the block watch residents that are active. That was the focus of my comments.

Mr. Ricciardi.

Mr. Ricciardi:

Mr. President, you and Mr. Bob O'Connor has raised that issue. If everyone recalls from the very beginning, the staffing, we were always hoping that it was going to happen from citizens. So far, the few that I have in my district have been working wonderfully for that reason. I agree with you, the officer needs to be out there. However, there needs to be someone there answering the phone and trying to file some paperwork. I really think this is going to be a very successful C.O.P. station because of the fine efforts of the 29th Ward Block Watch and also we have to Carrick Community Council that's very involved in that area. We have President Nick Neglioni who's also a City employee.

The Chair:

Yes, those are very active leaders in the community. Councilman Cusick.

Mr. Cusick:

Just real quickly. The Carrick area has, probably, one of the finest Block Watch Programs and other public safety programs and this facility is much needed just to house and help those programs along. I do appreciate your comments from last week, but our C.O.P. Officers are much like Officer Kondrich who was in here about two weeks ago. They're very much involved and this will be a real blessing to the neighborhood.

The Chair:

Any other discussion? Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bill having received the legally required number of votes, have been approved finally.

That concludes our Reports of Committees. Moving to Motions and Resolutions, the Chair Presents.

MOTIONS AND RESOLUTIONS

No. 1641 Resolution re-appointing Robert Ewanco as a member of the Stadium Authority of the City of Pittsburgh term to expire December 31, 2001.

The Chair:

This appointment is from the Mayor. I think everybody knows Bob Ewanco who's a very active leader in the Labor Movement. I'm sure Mr. Onorato can speak to his level of participation, expertise, and contribution on the Stadium Authority Board. This does not need a confirmation of Council so, basically, we need a motion to receive and file.

MR. ONORATO motioned to receive and file Mr. Ewanco's appointment to the Stadium Authority Board.

MR. UDIN seconded the motion.

Which was read, received and filed.

The Chair:

We have a formal public hearing at 2:00 this afternoon regarding three different Communication Tower's Bills. One was initially introduced by Councilman Ferlo, Councilman Onorato and a blended bill coming back from the Planning Commission. That public hearing is at 2:00 this afternoon. I believe its cable cast was requested.

Any other discussion or matter to be brought before the Body? Councilman Udin.

Mr. Udin:

Thank you Mr. President. I just want to announce to the public and to my colleagues that I was a part of a very proud formation of citizens who, this morning, delivered close to 20,000 signatures on petitions to the Office of the Department of Elections to put on the ballot for the spring primary the question of the amendment of the City Charter to include the establishment of a Citizen's Police Review Board. I want to take an opportunity to congratulate all the many community organizations, church organizations and volunteers that collected those signatures and presented them to the Department of Elections.

I would also, if I may, Mr. President, make it known that the Department of Justice has concluded an investigation of the City of Pittsburgh Police Department. I was in Washington, D.C. last week and attempted to meet with the Justice Department and get a copy of that report. I think it's very important that that report be made a public report. Unfortunately, the Mayor blocked my access to a meeting with the Justice Department and blocked access to getting the public report. I think that the Council here in the City of Pittsburgh has equal right to know the contents of that report as does the other branch of government in the executive side of the aisle. I would urge that we take some action, regardless of which way we come down on the issue, that we take some action to file some legal action that would get us copies of the report. I think we all need to know what the Justice Department is saying in that report Mr. President. Thank you.

The Chair:

Any other discussion on this topic?
Councilman Ricciardi.

Mr. Ricciardi:

Thank you Mr. President. I part company with Councilman Udin regarding the need or the benefit of a Citizen's Police Review Board, however, I do agree with our Councilperson when it come to -- if there is a report and it's a written report in it's final form, I think that report should be made public and, especially, to the elected officials in the City of Pittsburgh. I'd like to follow the lead and, maybe, second a motion by Councilman Udin that we ask the Department of Justice to forward that report to us immediately.

The Chair:

Moved and seconded for discussion.

I'd like to ask for a friendly amendment to embellish that resolution further. In addition to whether or not there's a formal report whatever format it's in, I think, we, as a legislative body. I would like to respectfully ask that we also communicate to our City Solicitor and respectfully ask the manor in which a Consent Decree can be entered into.

Independent of this issue that's on the table now, whether it be the approval of the taxation payment in lieu of tax with the hospitals or legal agreements that we agreed to on judgments and settlements, I'm a little bit perplexed as to how the Mayor unilaterally or the Solicitor can enter into a legal agreement as opposed to the City Council also having to be involved in that. In addition to that request, I would respectfully like, not

getting into the merits, just the issue procedurally. Does the Mayor unilaterally and the Solicitor have the power to enter into this Consent Decree or must City Council as a legislative body also approve any so-called Consent Decree. Which would be typical of what we do at every aspect of our legislative powers. Again, not commenting on the merits of the issue just, procedurally, I would like to know that question also and I'd like to, respectfully, ask that that be a friendly amendment as part of the request.

Mr. Ricciardi:

Mr. President I really think that that's your main issue, but I don't think that it should be part of this particular resolution. I think we should just have the resolution and I'll vote for that. But, we should have the resolution separate and apart from this particular one put forward.

The Chair:

Alright, I'll raise it separately then. Any other discussion, basically, on the motion that's on the floor, then.

Roll call vote on this request.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The motion carries.

Mr. Udin:

I'd like to move the second issue described by the President earlier relative to the process by which the Consent Decree will be issued, that's a motion.

The Ricciardi:

Could you just embellish on the resolution one more time, Mr. President.

The Chair:

My resolution is, basically, procedurally, that we communicate to the Solicitor like we do on every other legal issue and we ask her her opinion regarding any Consent Decree that maybe entered into by the City of Pittsburgh and the Justice Department and whether or not that agreement can be legally binding with the signature of the Mayor and the Solicitor versus the Mayor, Solicitor and a sign off approval from City Council as a legislative body much the same way that we would approve a judgment, a settlement, a payment in lieu of tax, you name it in terms of locking the legislative body into the agreement. I would just like a legal clarification from the Solicitor on that matter.

Mr. Ricciardi:

Second for discussion. I'll vote for that Mr. President because in no way are you saying that we're going to vote yes or no on it. You're, basically, asking do we have to sign off to make it a legal agreement, correct?

The Chair:

Yes, I'm only asking procedurally what is the Council's role, if any, in either the approval, the disapproval or non-participation in the approval or disapproval of a so-called Consent Decree between the Mayor, the Solicitor and the Justice Department.

Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. I'm supportive of both of these statements, but I want to make a caveat that, especially given that Councilman Udin was unable to obtain anything, I've never seen anything written communication wise from either the Justice Department, from the Mayor's Office, the FBI or anybody about this whole thing. I watch TV and I read the newspapers. That's where it's coming from. I'm presuming that what's been conveyed as accurate in casting my votes here, that's what I'm relying on. We've taken a step from saying that there's a report out there to assuming that something's in the report that says we should enter into a Consent Decree. If that's true, I think your request is completely appropriate. We approve monetary settlements when they're made as a Council Body. I would not see how a Consent Decree on an issue like this is any different. It's a much larger scale, actually, in some of the minimal settlements we approve.

The Chair:

I just want to clarify, then, Mr. Onorato. I was an observer to the Mayor's press conference last week and

participated in listening to his every word. It was clear to me that he stated explicitly that, although he made no comments specifically about any report, he made it clear, procedurally, that they were in discussions with the Justice Department regarding the possibility of some type of written Consent Decree as opposed to the Justice Department proceeding with some legal action. It's that spirit as to why I'm procedurally raising the issue now. So, we, at least, know legally what if any would Council's role be.

Councilman Onorato.

Mr. Onorato:

I think Councilman Hertzberg's point is well taken. The reason that I'm voting for both of these, if the other one comes up, the reason I'm voting for both of them is I think that will resolve the issue if, in fact, there really is a written report out there. After all of this hit the media, I tried to find out if I could get a copy of the written statement and I was told there actually is nothing in writing. There's a lot of discussion going on, but no one has seen anything in writing from the Justice Department. If you would follow the media account for the last seven days, you would think there was a 100 page report sitting somewhere in someone's desk criticizing something. So, if it does exist, I think we should see it. If it doesn't, I think they should inform us that it's all be verbal communication with the Solicitor's Office. I would hope that this Council, regardless of what it is that exist out there, that we would do the prudent thing and review the information with the Solicitor and executive session to start then move forward. Obviously, there's a major split on this Council on

what to do with that information regardless of what it says.

The Chair:

I think it's appropriate that we meet an executive session regarding any document.

Mr. Onorato:

Right. So that we don't have nine of us all taken our own little copy and trying to do something with it when we're in the middle of being sued by the ACLU. I would hope that because of litigation that would be enough to allow us to have the executive session to review these issues with the Solicitor.

The Chair:

As you know Councilman, I tried to reform that procedure at your request and others. When we meet in executive session, we have the document to review and we also turn it in to reduce the likelihood of documents of being reproduced.

Mr. Onorato:

You revised the procedure dealing with the Solicitor. If I'm not mistaken, the first resolution was asking the Justice Department instead of to us directly. It's a little different.

The Chair:

I would hope that we would be in receipt formally of any document and that we can meet formally on that document in an excessive session. I believe that we would probably receive that document

through the Solicitor as opposed to us getting something in the mail. Thank you for raising that point.

Councilman Cohen.

Mr. Cohen:

That you Mr. President. I, certainly, support the resolution but, I do want to make one point that I don't think you really are meaning to say. That if we don't have a legal role in this process that that means we have no role in this process. Certainly you're not saying that.

The Chair:

Absolutely not.

Mr. Cohen:

So, I want to reiterate the point that even if we don't have a legal signing off role, which I think we probably do, but we certainly want to see the case law on it or whatever authority there is. Even if we don't, we still have an important oversight function. That is to oversee the Administration's actions with respect to the police bureau or any other department. So, I would, as Public Safety Chair, like to see a sit-down communication between City Council and the Administration in whatever forum either side or both sides can usually agree upon. I think that this letter is a good start, but we have to sit down with the Administration and find out exactly what the status is and see how we can work together to try to achieve a result.

The Chair:

Well, following these resolutions, we will follow-up and ask for a meeting formally between Council with the Mayor and the Solicitor and the Chief. Specifically, an executive session on the matter as discussed. We need to do that as quickly as possible. I do want to comment and defer to Councilwoman McDonald and maybe she can correct me if I'm wrong, but everytime the School Board has entered into a Consent Decree, I believe it's been at the request or approval or rejection of the School Board taking a legislative vote, if I'm not mistaken. I'm continually perplexed, on my ten years of Council, as to why a legislative body council is not also extended the same privilege to sign off on certain matters. Some matters we get to sign off on and some matters we don't sign off on. In any event, the point is well taken. I think one will, hopefully, approve the two resolutions. We will facilitate the face to face meeting with the Mayor, the Chief and the Solicitor regarding the issues of the Justice Department.

Any other discussion? Roll call vote.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 **NOES:** none

The Chair:

Both resolutions have been passed and we will execute them and communicate to the Body.

Any other comments under Motions and Resolution. Councilman O'Connor.

Mr. O'Connor:

This is a different subject and a different matter. On Friday, our legislatures used our Chambers to conduct a public hearing on the Kane Hospital and the privatization issue. I will be holding until next Tuesday a resolution asking Council to support their intentions. What I'd like to bring up and I was very proud to see all of our legislatures there and two of the commissioners supporting, at least, a delay in the study before any management changes take place at either of the four Kanes. They are concerned, as all of us should be. All our seniors, our sickest and our poorest people are in those facilities. I just toured one. I have one in my Council District. I think it's the only one in the City, Glen Hazel, and it's a wonderfully run facility. It's only about 12 years old. I was very proud to have it in my district to take care of the people in Pittsburgh. The reason I'm bringing it up now is because it was recently brought to my attention that when the City of McKeesport deeded the land to Allegheny County for the McKeesport Kane Hospital, there was a restrictive covenant adding that the deed, which would prohibit the county from privatizing that facility. Therefore, I'm making a request that the City Clerk and that the Clerk contact our Law Department and request that the Department of Law review the deed and documents related to the real estate transactions between the City and county which provide the land for

the Glen Hazel Kane. I also request that the Law Department provide all the pertinent documents, deeds, resolutions in Council to the members of City Council. If there are any restrictive related to privatization of the mini Kanes, I would want that before next week so that we know where we stand as far as if there's anything like that that happened in our City Council.

The Chair:

Thank you. Absolutely. Thank you for bring this issue up. I think the Roddy Panel did a real snow job on the mini Kane issue, quite frankly. When you look at the financial numbers and the fact that that panel came back and did not include the debt service which this new non-profit corporation would not be burdened with. When you look at the analysis of the actual numbers, it's not the rosie pro-privatization picture that one is painting. I think it's just outrageous that we would allow the majority of Commissioners, be them republican or democrat, the ability to give away public trust. It would be no different than giving away the library system, the park system and a lot of very other very important vital institutions that we have. We have a great healthcare mini Kane System and I believe that the hastening of the privatization initiative is really moving forward towards lessor quality care for the patients and their families. I think we should be very vocal in the coming months and I think if we have any legal avenues, like you're suggesting, and any other advocacy manner in which we can raise our voices, I hope we start doing it loudly and clearly. It's clear, in all due respect to Commissioner Dune who I like and I try to work with him, it's just amazing over the

last two, three months what went from a clear strategic plan all of a sudden both he and Kramer are tripping over themselves and back paddling and they don't know the answer to this question and they didn't think of that issue. That's a heck of a way to do business in terms of the quality of life for several hundred patients that are in badly need of that health care service. It's just a terrible management and it should raise a lot of questions.

Mr. O'Connor:

What's really surprising and I really condemn the people who bring it up because I visited there. I saw the good work and also the management said, yes, we could do better just give us time, we would like to do A, B, C. They've added new programs there. We have the center where they bring seniors in, the daycare centers for the people in that community. There's a lot of wonderful things going on that no one sees and no one appreciates. Before they would do anything like that, I would question the last time that any of those Commissioners were actually in the Kanes and talked to the management. The management is willing to make changes to streamline cost, but not at the risk of the care. We have in Hazelwood, we have over 60 patients in each bed, three times a day. If you start cutting back, who's going to take care of them. Again, there's cost cutting measures that can easier be done without hurting the care. We will be pursuing that and I would hope that everyone on Council will support this.

The Chair:

Absolutely. Again, I just hope that the Commissioners would stop fighting with the union representatives and get

them in a room and start talking about quality workforce management. Also, simpler to what you have suggested time and time again during the budget proceedings, if we would listen and learn and work with our employees could probably learn a lot more about how to reduce cost and gain efficiencies than this, so called, notion for privatization.

Any other discussion? Hearing none, I will entertain a motion to adjourn.

This legislative session stands adjourned. Thank you.

Stenotype Reporter:

Transcribed by: Lenora Johnson

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, February 25, 1998

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

The Chair:

Good morning everyone. We have a number of honored guests in the audience and we'll shortly move to the Proclamations.

At this time, would you please all rise for the pledge of allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We are very pleased this morning to have a student from Liberty Elementary

School. She's in the fourth grade, her name is Erin Fitzgerald, and she's 9 years old. Her mom and dad are here, Rich and Cathy and her sisters and brothers. I know at least a few of them, Tanar, Mara, Mataline and Jackson. I do know Paul Tomosovich from the North Side, welcome in the Chambers this morning. Erin is going to lead us in the pledge of allegiance.

Eerin Fitzgerald:

I Pledge Allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you Erin. Our City Clerk would like to present you with a flag of our Nation and a flag of our City. Thank you and your family for coming down here this morning.

At this time, we have a number of guests in the audience. I'd like to call on Councilman Cohen.

Mr. Cohen:

No Proclamations at this time, Mr. President.

The Chair:

Mr. Hertzberg.

Mr. Hertzberg:

To be read into the record.

Mr. Cohen:

Mr. President, my resolution is to be read into the record.

MR. COHEN PRESENTS:

No. 1642 WHEREAS, the Jewish National Fund owns or manages 92% of the land in the State of Israel; has planted over 210 million trees, built roads, parks and recreation areas; has turned archaeological sites into important tourist areas; has built dams and reservoirs to increase Israel's water supply; has developed land for housing, industry and farming and is a major employer of new immigrants in the country, and

WHEREAS, prominent community leaders Drs. Ellen and Loren Roth will be the honored guests at a testimonial dinner on Sunday evening March 2, 1997 sponsored by the Tri-State Region Jewish National Fund where they will be presented with the Hatikvah Award, and

WHEREAS, Dr. Ellen Roth, co-founder and president of Getting to the Point, an independent relocation consulting service, has led several community organizations, including serving on the boards of the Ladies Hospital Aid Society, the Jewish Chronicle, the American Jewish Committee, the Women's Division of the United Jewish Federation and Rodef Shalom Congregation, and

WHEREAS, Dr. Loren Roth, Associate Vice Chancellor for Education,

Health Services at the University of Pittsburgh and Vice President for Managed Care and Vice Chairman and Professor, Department of Psychiatry at the University of Pittsburgh Medical Center is a leader in the many community groups he currently serves, such as the United Way, the Jewish Family Assistance Fund, and the Hillel Foundation, and

WHEREAS, the Doctors Roth are the proud parents of two wonderful daughters, Alexandra and Elizabeth.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends and congratulates the Jewish National Fund for over 55 years of service to the State of Israel.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh congratulates and thanks Drs. Ellen and Loren Roth for their exemplary leadership of the Jewish community and the City of Pittsburgh.

MR. HERTZBERG motioned to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

We have a joined proclamation, Councilman Hertzberg, Mr. Cohen and Mr. Cusick.

Mr. Hertzberg:

I'm going to ask COP Officer, Jim Wehner to come forward, his wife Pat, Elaine Caparelli and the Zone 4 Public

Safety Council and anyone else that I might have missed who's with Officer Wehner.

I presented this particular resolution to the Zone 4 Public Safety Council Meeting last week. It's in honor of Officer Jim Wehner who's retiring after a very distinguished career as a City Police Officer, most recently as a COP Officer. Probably, in my opinion, the first and the best COP Officer the City has ever had. He typifies what we want when we're talking about a Community Oriented Police Officer. He's an individual I think in the officer friendly kind of tradition and I think the public feels very comfortable with him. He's been able to project that kind of image in a number of backgrounds. Let me read the resolution.

MR. HERTZBERG PRESENTS:

No. 1643 WHEREAS, James Wehner has been a Police Officer for the City of Pittsburgh for 28 years, and one who exemplifies the true meaning of the term "Public Servant", and

WHEREAS, Officer Wehner has been the Crime Prevention Specialist Officer for Zone 4 since 1992, when he introduced the Community Oriented Police (C.O.P.) program to the community, and

WHEREAS, Officer Wehner spent countless hours in the service of people of all ages, including teaching more than 365 adults and senior citizens how to effectively reduce crime in their neighborhoods and helping set up Crime Watch Programs; Officer Wehner coordinated basketball games between the C.O.P. and area teenagers, enjoyed playing the role of Officer Friendly, and presented

the D.A.R.E. program to young children in several elementary schools, and

WHEREAS, he was attentive to the concerns of others, provided thoughtful advice and insight in handling problems, worked from the heart, worked above and beyond the call of duty, is a firm believer of the C.O.P. program, and exemplifies the best qualities of the C.O.P. Program.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, the Zone Four Public Safety Council, and the citizens of the area thank him for his dedicated service, and wish him many happy years of retirement.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare, Wednesday, February 19th, Officer James Wehner Day in the City of Pittsburgh.

MR. COHEN motioned to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Thank you. Let me start with Officer Wehner. I know you have a speech prepared and I'm sure it will be exciting and interesting, Officer Wehner.

Mr. Wehner:

First, I'd like to thank President Ferlo and the Council people here for this award. After 28 years to retire like this and then get this resolution is like having your cake and eating it too, and I'm

enjoying it. To the 18 communities that I worked for in Zone 4, it was a pleasure and I thank you. To the Zone 4 President, Dorian Switch, who is not here because he had to work and to the Zone 4 Vice President, Elaine Caparelli, which is over here with me, they spent many countless hours working with me and without them we wouldn't have achieved what we wanted to. We made Zone 4 a safer place to live. To the Chief of Police for believing in me and for giving me this job and an opportunity to work it, I thank him. For all my supervisors that I worked with that believed in the COP Program, I thank you. To my immediate Supervisor, Lieutenant Quinlin, and to Commander McDonald who is also my immediate commander who couldn't be here today because she's on vacation, through their knowledge and guidance and trust, I thank them. The last thanks is to my wife, Pat, she spent many evenings with me getting the program put together and the meetings that I had to go to, she was waiting for me to come home, holding dinner, and she believed in me 100 percent, I say thanks to her. Thank you.

Mr. Hertzberg:

Elaine, Vice President, Zone 4 Public Safety Council, any comments? You don't have to if you don't want to.

Ms. Caparelli:

I just want to say that over the years that we have worked with Officer Wehner, he has done a tremendous job. He has brought a lot of block watches to the Zone 4 area, there's 18 communities. For example, in Sheradon alone, he put 17 block watches together in a few months. We have been grateful for his work and

we're really going to miss him. Thank you very much.

Mr. Cusick:

Thank you Alan for proposing the resolution. Let me just tell you, four years ago, I opened a headquarters on Broadway Avenue and we were looking out the front window of the headquarters and, a gentleman had made a comment about this guy jumping in and out of a white van, which is the COP van. He says, does this guy think he's the goody bar man. And, that's the way Jim has always operated. He would pull the COP van up to any corner and when he saw a group of kids, not to always remove them from the corner, but to find out exactly what they were up to, what he could do to help them find activities or plan their day, or just have a little conversation. I think that's real special. When we talk about Pittsburgh and it being one of the friendliest cities in the United States, we think of people like Jim Wehner and we appreciate your dedication. It has been a true privilege not only to work with Jim, but I think I can call you my friend. Thank you.

Mr. Hertzberg:

Jim you get three Councilmembers to speak for you. First of all, it's nice to see Elaine back on her feet. I realize you look as though you never had that accident at all. It's good to see you back on your feet. This is the fun part of being Public Safety Chair because someone like Jim Wehner has all the qualities that we look for in a community oriented police officer. It takes a special person to be a COP Officer, it really does. It's not an easy job in anyway. You have to be a good

organizer, you have to care about people, and you have to be part of the fabric of your community and that's exactly what you've been. For you to retire is going to be a real loss to the City. But, Jim I want to thank you personally for all of the dedication that you have provided to this City, your devotion to Pittsburgh and I wish the best of luck. I know you'll still remain involved. Before I quit, I just want to also thank Pat because as important as it is for the COP Officer to be out there, it's equally important to have support at home and, obviously, you've had that. Congratulations.

The Chair:

Thanks Jim and good luck.

Councilman O'Connor on behalf of all of our colleagues.

Mr. O'Connor:

Will Emma Forsyte and all the representatives from Kane and all those who are supporting the Kane anti-privatization movement, please come up. All the labor leaders, John, Mark and Richie.

I know we have John Joyce from the Utility Workers, Tom Hoffman, Deno Bruno, Jim Lewis, John Pastor, Bill Cagney, Sandy Stewart, John Vento, Mark Macky, Erin Marksburg, Brinston Eiso, and I sure I'm missing a few. Emma Forsyte is here to accept the proclamation. She's the department manager.

Many will be here who are looking are going to say, what are all of these labor leaders, they are here to save their jobs and look out for their interest. And, that's true

they should, that's part of their duties. But, we're here for a different reason. We're here to protect the people that are in the Kane Hospitals. I have in my Council district, Glen Hazel, which is a 360 bed unit. I defy anyone to go there and tell me that they could find better care anywhere in the world. The attention there that the workers are given is excellent. It's a clean facility, one of the cleanest facilities I've ever seen and I'm on two hospital boards other than this. I just toured it. There's 60 people in Kane who need to be fed three meals a day. These are the poorest, the oldest and the sickest people in Allegheny County. I think we can forget them and I'm here to support them. I was very proud in Council Chambers last Friday that all the legislatures from Allegheny County was here to have a televised hearing to support this cause. I'd like to read the proclamation and we'll have further comments. I want to thank everyone for coming down and supporting this worthwhile cause.

MR. O'CONNOR PRESENTS:

No. 1644 WHEREAS, the John J. Kane Hospitals have been providing care to the elderly population of Allegheny County including the people of Pittsburgh since 1957, and

WHEREAS, the Kane facility grew into the Kane Regional Centers which now have four nursing care facilities, each with 360 beds to serve the community, and a medical research and teaching facility for several local universities including the University of Pittsburgh, the Pennsylvania State University, Duquesne University, and West Virginia University, and

WHEREAS, after the many years of the quality health care and adult day care that has been provided, there is now an effort to privatize the Kane Regional Centers and have county government abdicate one of its primary functions, and

WHEREAS, it is unfortunate that when money becomes the issue in government, the poor, elderly, and down-trodden are the first to feel the impact of cutbacks because of poor management or the lack of willingness to get the job done, and

WHEREAS, we should all be thankful for having the Kane Regional Centers providing us and our neighbors with quality health care, and keeping it accountable to the people of Pittsburgh and Allegheny County.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh is hereby firmly against the privatization of the Kane Regional Centers.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby request that everyone involved in the decision-making process remember the role that the Kane Regional Center has played in our region for the past 40 years, and vote against the privatization of the Kane Regional Centers.

MR. CUSICK motioned to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Emma would you like to accept this on behalf of all the labor leaders.

Ms. Forsyte:

On behalf of the staff and of the residents of Kane Hospital, I'd like to thank the City Council for supporting us in this effort. The initial battle was fought by the employees and we were very lucky to have our labor unions backing us. But, it's very difficult for us to get the kind of attention that we need to hear our voices heard. Our residents are the oldest and the frailest. The cuts that are going to be made and the effort that is going to be made boils down to corporate greed, not patient need. Our folks need to be cared for and I feel we have a responsibility to them. After all, they paid their dues and they made this community and we're trying to pay that back. So, on behalf of the members of labor union, on behalf of my residents and on behalf of this staff, we would like to thank you.

We would like to remind folks that there's one more public hearing that will be held at Bidwell Training Center on the Northside at 9:30. That's being held by the Democratic delegation. There has been two hearings before this. This is to get public input into the issue of Kane Hospital. Once again, thank you members of Council for your support. You really do make Pittsburgh someplace special.

The Chair:

This not being a traditional Proclamation, I think it's important that we allow Councilmembers an opportunity to speak. I want to thank Councilman

O'Connor for bringing us all together on this issue and showing the leadership he has. I think it's important that we speak up. We have an opportunity to challenge here and to play an advocacy role in the defense of people who cannot defend themselves.

If there's one theme that the Kane Hospital can appropriately and rightfully have is it's banner that says, Health Care has been a Right and not a Privilege. In this day with the DRG movement and managed care and all the other cutbacks from the nutrition from the governmental level on down, including the private sector, I would think that we would take the opportunity to be proud of a very important public trust and a system of providing health care to the most indigent care of poor and elderly and frail in our county. We should, if anything, be taking great pride in the fact that we have this public trust. As I said last week, how dear Allegheny County Commissioners or anybody else think that they're going to rid our county of an important public trust and institution. It would be the same thing as dismantling the public library system or the Carnegie or the Zoo or any other number of public institutions that we find very important and that we take great pride in. I think there should be a formal investigation. This Jim Roddy connection with this Allegheny County Non-profit Group that's been created, we're talking about a public institution. That's been our tax dollars and public funds that have built up this institution over the last several of decades. How all of a sudden it can go into, what it basically amounts to, private interest hands under the guidance of a non-profit organization. I think we should find reprehensible and I think we need to ask for a formal investigation regarding what

the Commissioners and what other special interest groups are getting their hands on relative to the mini Kane System. I think we should all share in this outrage.

There are a lot of suburbanites out there and others who think that, well they buy into this bologna about public unions are getting big and there's no efficiencies. Well, how about quality workforce management at Kane. How about sitting down with the unions and the rank and file that provide the care and asking them what are the more efficient ways to provide the services and how do we provide a better quality health care. I think, just like City government, if we did that, I'm sure we could find any number of ways that we can look at to expand the services and provide more efficient care. But, this notion of just closing the system and privatizing it under the guidance of a non-profit umbrella, I think we should all join and find this reprehensible and I think we should oppose it whether it be with our advocacy mouth, whether it be on the picket line, or whether it be any legal opportunity we have. I know Councilman O'Connor has asked for a City Solicitor to review any land agreements or anything of the sort, I think we have to be creative. I think we should stand up now and say there's no way we're going to allow this privatization to take place and that we want this public trust and this quality service to be maintained. I think it's about time we, not only do the Proclamation, but put our bodies and our mouth's where our words are and really fight formally on this issue. Councilman Cusick.

Mr. Cusick:

First of all, I want to thank all of the labor leaders and union officials that

have come forward. I think this is what Pittsburgh is truly made up of and that is getting the backbone, and that's all of you, together and unite on this important issue. I think Jim hits the nail the head when he says that we need to work with the unions and find better ways of doing things and I would agree with that. Some of that is happening and I think you should be very proud, Councilman O'Connor, to be a part of a board and the Auditorium Authority that does that with the 1058. Currently, there is a good working relationship to make sure things are being done well and that's what all these boards should be doing. I have been in the middle of a fight with ALCOSAN employees and was trying to stop the privatization of certain different areas of employment at ALCOSAN. I find it very upsetting that the same names keep coming up when we're talking about privatization. I think Jim brings up a good point that there are certain people that are focused on busting unions and we can't tolerate that. Everyone should have an opportunity to have good health care and an honest and decent wage. That's what we're about, that's what I'm about and that's what I know that all of you are about. And, this Council needs to step forward and allow these different number of people that have come forward with ideas to break our City and to divide us to call them to the carpet, it's time. This City was built because of the hard men and women of this area. We'll be damned that if a bunch of carpet packers want to come here and take it off of us. So, that's what it's all about.

The Chair:

Councilman Onorato.

Mr. Onorato:

I want to add my support, not just by putting my name on the resolution, but I want my comments for the record to support the workers at the Kane Mini Hospitals. One thing I discovered, on a personal note, is that people on the North Side and North Hills utilize the Ross Township Facility. I had a family member who was in a privately run institution that was a total disgrace. The care that my relative received at this private facility was borderline criminal, that's how disgusting it was. Eventually, we got a slot in the Ross Kane and that was my first personal experience with any of the Kanes. I was shocked at how clean, how professional and how good the service was at the Kane Hospital. I say that from personal experience and I can compare it with the private sector. One of the fears I had with the private sector is that when you have the profit and the bottom line motive, you have a tendency to cut in other areas. Personal care for seniors is one area where we do not need a profit component, that should not be part of the equation. It appears that we have a move to this privatization because there's a problem. No one has pointed out or shown any of us that there's a problem with any of the Kanes. That has never been proven or even discussed. This all appears about saving money and I'm not so sure we're going to save in the long run from what I've seen. More recently, in the last year and a half ago, colleagues you might remember, North Side has 27 of the 58 registered personal care homes in the City and those conditions are deplorable. I sponsored a piece of resolution that everyone here co-sponsored that we do a surprise inspection of those buildings because of how bad the system is. And, they're supposedly are being monitored by

the State Inspectors, however, that's just not happening. If anyone thinks that this is going to improve service to the elderly, they're just kidding themselves. I am not willing to turn over this type of service to the private sector where they have proven, and I have facts, they have proven, that it's been disaster when the private sector takes over. Noone has proven that the Kanes have been a disaster, it's just the opposite. So, I think before anyone discusses about changing the current personnel of the facility, they have the burden and the obligation to show the public that there's a reason for the change, their reason just doesn't exist.

Kane is the best facility for the seniors going right now. It's one of the shiny examples that we can point to where government does work. Government might not always work, but this is one area where it's actually out performing the private sector. So, I would hope that the Commissioners reconsider and look at saving costs somewhere else. But, don't just save costs for the sake of saving costs and put the burden on the seniors, the frailest part of the society. The Kane Mini Hospitals, as far as I'm concerned, are probably one of the best in the country if we could use them as an example of what we should be doing as a society to help the frail of our community. I want to thank all of the employees that came because I saw first hand and you should be applauded.

The Chair:

Councilman Cohen.

Mr. Cohen:

Mr. President, I also want to add my voice to the chorus and say that I'm a

100 percent in support of this resolution and not just making a vote, but testifying whatever need to be done we'll do. The Kane Regional Centers are an important part of the safety net for people who are most in need. As Councilman Ferlo said, quality health care is being threatened on all fronts. But, this, in many ways, is the most important front. Because the Kane Regional Centers, what they say to me and I think they say to thousands of people across this county in Western Pennsylvania, is that regardless of your income, you'll be taken care of and you'll be taken care of well. That sends a very, very important message and one that the Kane Regional Centers is doing so well and sending out so well. So, I encourage you to keep fighting and that we will certainly stand with you to make sure that the Kane Regional Centers are not privatized. Thank you.

The Chair:

I also think we need to, at least, this is my own personal comments and I always take a shot back at the Post Gazette -- One thing you can say about Tribune Review and the Allegheny Policy Institute which is basically a right wing think tank organization, they're very bold and upfront. They put it all out formally, no bars hold. The thing about the Post Gazette, if you look at the slick move they did on Sunday, they try to paint -- I don't see these issues as separate, to me the State Store battle, the ALCOSAN battle, the Kane Hospital battle, and the County Jail battle that may come up at some point in the future, I think as far as I'm concerned, this is just my own view, they're all part of the same agenda. It's always interesting to see how one think tank group, the Policy Institute with the

Tribune Review puts their slant on it and the good ole Post Gazette with a "economically" puts their slant on it. I think the slick move that I saw in the Sunday Press because the big article to try to create this image that the only people that are opposed to the State Store sale is the religious fringe in the Commonwealth of Pennsylvania and that's a very narrow religious based movement that is opposed to the sale of the liquor store. If you take this slicker move that they did on Sunday, in the middle of the article, they have a big picture about the new renaissance three. The whole mentality is that if you don't support the State Store sale, we're never going to have the money to do all these great things like build a baseball new stadium and do the cultural trust. You may think that that's not plotted out, but as far as I'm concerned it's cold hard propaganda at a slicker level than the Tribune Review is capable of doing. I just want to take my hat off to the Post Gazette. I just think we have to be on guard because I don't see these issues as separate and distinct. I think they're all part of the same battle that we're going through in the Commonwealth. I just think we have to be out front and show some solitary on all these different issues.

Any other discussions? Let's get some union sisters and brothers here.

Mr. O'Connor:

Mark wants to say a few words from Local 1058.

Mr. Macky:

Thank you Council President Ferlo, Councilman O'Connor, the rest of the Councilmembers here, and my union

brothers and sisters. My name is Mark Macky and I represent the majority of the employees at the Kane Regional Centers. I'd just like to say that they are very hard workers. I represent them in different matters on contracts and grievances and so forth. They work very, very hard to care for the elderly. As you know, the elderly population in Pittsburgh, Pennsylvania, Allegheny County, per say, is one of the largest in the country. You hear a lot of talk about this trying to be a union thing, this is a people issue. This is for the people and by the people. Also, you'll hear in different news media and that about let's not run the government like a business. Businesses fail too, sometimes that's not such a good idea. Thank you very much.

Mr. Hoffman:

My name is Tom Hoffman and I'm with the Service Employee's Union. I just wanted to echo what Emma said about the hearings. State Representative Frank Germany and the Allegheny County Delegation are holding hearings. They've had two so far and there's one more this Friday at the Bidwell Center. They're looking at, hopefully, having statewide legislation that would regulate privatization so we encourage your support in those hearings. The point that Councilman Ferlo brought up about the deed for the Glen Hazel, McKeesport has a what may be a successful suit to prohibit to privatization of the McKeesport facility. So, if there's something similar in the Glen Hazel deed that would be a good thing to know about. I would encourage City Council to follow-up on that.

Mr. O'Connor:

We asked the Law Department to follow-up on that and they sent us about a 100 page document. One thing I want to explain is that on my last visit there, I spoke with labor leaders and the management and they're opened to saving money. They're willing to work together to save money, but not at the cost of the patients. When you go around to visit the Kane, everyone there from the management to the workers all knew every patient's name, over 300 patients. I noted that because I've been in business. I was amazed at the loving care that they gave and just by knowing every patient and their needs was tremendous. I would ask anyone who doubts it whether it be one of the newspapers that you mentioned, to go visit the Kanes and really see for yourself what kind of quality is there.

Thanks a lot for coming down and we're all supporting you. We'll take this to the Commissioners on Thursday.

The Chair:

Councilman Cusick.

Mr. Cusick:

Before any of you go, I think that it's real important that we recognize that we have some State as well as Richy Stinizo from the Building Trades is here today with us and John Vento from the State level is here. I think that's real important. That shows some real tight unity and that's what this is all about. Thank you.

The Chair:

Mr. Onorato, I believe you have a number of guests in the audience. Excuse

me, Councilman O'Connor has another Proclamation. I believe you have some guests also.

Mr. O'Connor:

Honey Rosenbloom, Karen Leas and Mariam Weiss are here from the Lubavitch Women's Organization and I'll read the Proclamation to you.

MR. O'CONNOR PRESENTS:

No. 1645 WHEREAS, the Week of the Jewish Woman was begun in 1984 by Lubavitch Women's Organization Worldwide, and

WHEREAS, the Week of the Jewish Woman is a celebration intended to unite women all over the globe in their goals of self-development, community service, and education, and

WHEREAS, this year, the Week of the Jewish Woman falls in the very special Hebrew month of Adar, and

WHEREAS, Jewish women here in Pittsburgh will be treated to the very talented, highly acclaimed singing star, Kinerert Cohen, and will listen to noted speakers discuss the importance of Jewish women and their faith.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh designates the week of February 23-February 28, 1997, as the "Week of the Jewish Woman" in Pittsburgh.

MR. CUSICK motioned to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. Rosenbloom:

Thank you very much Bob, thank you President Ferlo and all the City Council. We appreciate your dedication and devotion to the Isheba Schools and to the Jewish Community in general. I'd just like to take this opportunity to thank Karen and Mariam for coming and for helping out for the week of the Jewish Women. Quickly, to let you know what the week of the Jewish Woman is, it is a week dedicated to Jewish Women. Actually, everyday is dedicated to the Jewish Women. But, if we had a dedication everyday, then we would be here constantly, so we'll keep it to one week. Basically, during this week, we have classes for the Jewish women on different topics, whether it's about the women, whether it's about Judaism or about the redemption. We also have had phenomenal concerts. I'd like to thank the JCC for co-sponsoring the concert. We'll be accommodating it with a phenomenal Friday night dinner for Jewish Women, this Friday night at the Isheba Schools. If anybody's interested in anymore information about the week of the Jewish Women, you're welcomed to call 422-3453, the Lubavitch Women's Organization or the Isheba Schools at 422-7315. I would just like to conclude with our theme. Our theme is Jewish Women Leading the Way to Redemption. Just as Councilman O'Connor said before, the week of the Jewish Women is in the month of Idirar, that is the month in which we will be celebrating the festival of Perum. We know that home miracle of Perum came about because of a Jewish

Woman named Esther. Shortly after that, we will be celebrating Passover. Again, it was in the merit of Jewish Women that our ancestors were redeemed from Egypt. So, to will be the merit of Jewish Women nowadays that this whole world, we'll all be redeemed from this final exit out with the coming of Bushea and it will be a world of true peace and harmony for all mankind. Thank you very much.

Mr. O'Connor:

When is Perum starting?

Ms. Rosenbloom:

Three weeks, on a Sunday. Unfortunately, I don't have a calendar.

Mr. O'Connor:

That's alright. So, Sunday night is the Isheba and we'll have a big celebration.

Ms. Rosenbloom:

Well, Saturday night, we'll be _____ Magilla and, then, Saturday and Sunday will be the Perum Day. On the Jewish calendar, the day starts at night. So, we'll starting on Saturday night _____ Magilla. If I'm not mistaken, it's in three or four weeks. We hope that all Jews come and hear the Magilla.

Mr. O'Connor:

We can all come. It's quite a celebration and they do a wonderful job with the Isheba Schools. I'm a neighbor there and my niece is going. It's tremendous what you do for our

community. I want to thank you all for coming.

The Chair:

Thank you. Councilman Onorato.

Mr. Onorato:

At this time, I'd like to have Nicole Leary and Cara Fulton to come forward.

I have two separate proclamations. One for each of the individuals here. I'm going to read them both and then ask them both to step forward.

MR. ONORATO PRESENTS:

No. 1646 WHEREAS, Cara Fulton is a senior at Perry Traditional Academy and will graduate in June, and

WHEREAS, as a student Cara has made a number of significant contributions to Perry Traditional Academy. Cara is currently the secretary of the National Honor Society. She established a student bible study group which has been in existence for two years. She has been a librarian's assistant for the past four years. She is a member of Student Council and was Council President last year. She belongs to the Ski Club and is a former officer. She has participated in track and cross country running. She is co-managing editor of Perry's School Newspaper, The Perryscope, and

WHEREAS, Cara belongs to many organizations and participates in numerous activities. She is a consortium and board representative for Healthy Start Region 4. She took part in the Community Literacy Project which explored through writing

assignments the problems of inner-city youth and proposed creative solutions for these problems. She volunteers at her parents' ministry Gospel Music Ministries food bank. She also teaches vacation Bible School to youth through her parents ministry. In addition, she is employed with Joann Fabrics in Parkway Center Mall, and

WHEREAS, Cara has had extensive training in the arts. She has studied music and dance with the Civic Light Opera Academy. She was a member of the Civic Light Opera Ministars 1995-1996 and as a participant traveled all over Pittsburgh performing. She has studied ballet for eight years and voice for four years. She is a part of the Creative Vision Project which enables Perry students to help students at Allegheny Middle School prepare for the rigors of high school.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Cara Fulton for her participation and outstanding efforts as part of Perry Traditional Academy's student body and for all of her community work.

Also,

No. 1647 WHEREAS, Nicole Jean Leary is a senior at Perry Traditional Academy and will graduate in June, and

WHEREAS, Nicole this year received a National Merit Letter of Commendation. Additionally, she was a Macy Minority Scholar for two years and is listed in Who's Who Among American High School Students, and

WHEREAS, as a student Nicole has made a number of significant contributions to Perry Traditional Academy. She created the first Perry Traditional Academy Basketball Statistics Book in 1993. She prepared materials and solutions for all laboratories as a Chemistry Lab Assistant in 1994 and she directed the Spanish Play, "El Did de La Lengua" in 1994, and

WHEREAS, Nicole belongs to many organizations and participates in numerous activities. She is a youth coordinator for Pittsburgh ACT-SO. She is the President of the NAACP Youth Council 1996-1997. She is a past President of the Medical Explorers, University of Pittsburgh. She has been Manager and Student Athletic Trainer for basketball, football, and wrestling. She is a member of Perry Traditional Academy's Student Council and is a core group member of the Mobilization of African Youth for Justice, and

WHEREAS, Nicole has had extensive training in the arts. She has studied advanced acting with the Civic Light Opera Academy. She has been part of the Manchester Craftsmen Guild/CLO After School Program. She attended a summer program at Indiana University of Pennsylvania for Enhancing the Creative Arts-Dance and Musical Theatre. She has also participated in the Walker West Music Academy Youth Jazz Band, Penumbra Summer Theater Institute, Children's Festival Chorus of Pittsburgh, and the Children's Theater Company in Minneapolis, and

WHEREAS, Nicole had the lead role as Millie in the play "This Too Shall Pass" with the Pittsburgh Public Theater

Project. She has also used her talents to assist the music teacher and group leader with second grade children as part of the Ozanam Cultural Center's summer program.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Nicole Jean Leary for her participation and outstanding efforts as part of Perry Traditional Academy's student body and for all of her community work.

MR. UDIN motioned to adopted the resolution.

MR. CUSICK seconded the motion.

Which motion prevails.

Mr. O'Connor:

Here's two individuals that make a strong argument for cloning. You heard a lot about it lately. If we could triple you and quadruple you throughout the City, we would move much better forward. I want to personally thank you for the hard work that you do for your personal achievements. But, more importantly, in both of your Proclamations, for what you get back in helping the youth in the City. That goes a long way to helping us deal with the problems that we have to deal with and we could never repay you for what you're providing. I want to thank both of you and give you an opportunity to say a few words.

Ms. Fulton:

I'd like to thank Mr. Onorato and I'd also like to thank the City of Pittsburgh as well as my high school and God and my

parents for instilling in me the values that make a strong and positive individuals.

Ms. Leary:

Good morning. I would like to thank everyone here. It's encouraging to see you appreciate the efforts and accomplishments that me and my friend Cara have made and that you value what we do in our community. I'd like to ask you all, I'm here also take time to value our voice in our community because if and when you choose to listen to the black youth of Pittsburgh, you will here that everyone is calling for a change. We don't want our schools to be resegregated. The economic disparity is vulnerable and we need a Civil Review Board we feel because we should not have to be afraid of the very people that are also supposed to protect and serve us. I see all of you here today and I know that you have the ability and the power to make change and I implore you to make change for the better. Thank you.

The Chair:

Councilman Udin.

Mr. Udin:

I want to thank these young ladies and Councilman Onorato for bringing them before us. Clearly, they've done more in their young lives than many adults have done in a whole lifetime. You've shown that you can balance a high academic achievement as well as a dedicated community involvement as well as a political consciousness that is very, very refreshing among African American youth in this City. I just want to thank you very much for all you do.

The Chair:

Thank you very much and congratulations. We have one more to be read into the record.

MR. ONORATO PRESENTS:

No. 1648 WHEREAS, Mr. Elly "Norm" Davis was born on January 10, 1932, in Erie PA to Helen Satterlee and Theodore Davis. He has one sister and five brothers, and

WHEREAS, Mr. Davis graduated from Gannon University with a Bachelor of Science Degree in Accounting, and

WHEREAS, Mr. Davis is married to Joyce Davis. They have one son, Greg and a grandson Kevin and granddaughter Bethany, and

WHEREAS, Mr. Davis served in the United States Army in the Korean Conflict, and

WHEREAS, Mr. Davis began work at Troy Hill Federal Savings Bank on October 1, 1980, and

WHEREAS, Mr. Davis has been the treasurer of the Troy Hill Board of Trade for many years. He is President of the Western Pennsylvania Savings League. He is the Director of the Builders Association of Metropolitan Pittsburgh and the treasurer of the Round Table. He is also a member of the Kiwanas Club, American Legion Post #565, the Teutonia Manner Chor and Troy Hill Citizen's Inc., and

WHEREAS, Mr. Davis is retiring from his position as President of Troy Hill Federal Savings Bank and will be missed.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends Mr. Ellry "Norm" Davis for his years of service to the community of Troy Hill in his position as President of the Troy Hill Federal Savings Bank and wishes him all the best during his retirement years.

MR. RICCIARDI motioned to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

That concludes our Read and Adopted. Moving to Presentation of Papers, beginning with Public Safety Services, Councilman Cohen, Chair.

PRESENTATION OF PAPERS

Mr. Cohen:

No papers this morning, Mr. President.

The Chair:

Thank you Councilman Cohen. Mr. Cohen for Mr. Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Mr. Cohen.

MR. COHEN FOR MR. CUSICK PRESENTED:

No. 1649 Resolution Providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen Facilities and/or Management Agreements for the provision of center services to senior citizens, in an amount not to exceed \$205,000.00 chargeable to and payable from Senior Citizen Program Trust Fund, Index 254250; Account 560100; Fund 2850; Organization 530000, Subclass 600, Year 1997.

Which was read and referred to the Committee on Parks, Recreation and Youth Policy.

The Chair:

Councilman Hertzberg, Committee on Land, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

MR. HERTZBERG PRESENTED:

No. 1650 An Ordinance amending and supplementing the Pittsburgh Code, Title Ten, Building, Chapter 1007: Boca National Building Code, Adoption, Section 513.0, Historic Structures, Districts, Sites and Objects.

Which was read and referred to the Committee on Public Safety Services.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

That Bill is co-sponsored by Mr. Onorato and myself which represents the work product of the special committee that we formed several months ago regarding a rewrite and overview of the Historic District Designation Ordinance. Thank you Councilman Hertzberg and Mr. Onorato for your leadership on that committee.

Councilwoman McDonald,
Committee on Housing, Economic
Development and Promotion.

Ms. McDonald:

No new papers Mr. Presidents.

The Chair:

Thank you. Councilman Onorato for Mr. O'Connor, Committee on Engineering and Construction.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman Onorato.

MR. ONORATO FOR MR. O'CONNOR PRESENTED:

No. 1651 Resolution providing for a three-party Cooperation and Access Agreement by and among the City of Pittsburgh, the Pittsburgh Cultural Trust, and the County of Allegheny, in connection with the construction of the Lower Allegheny Riverfront Park.

Also,

No. 1652 Resolution that the Mayor and the Director of the Department of Engineering and Construction, on behalf of the City of Pittsburgh, are hereby authorized to enter into an Agreement of Cooperation with the Pittsburgh Cultural Trust in connection with the construction of the Lower Allegheny Riverfront Park bonded by Allegheny River and the North and the Tenth Street bypass on the South situated in the 2nd Ward of the City of Pittsburgh, Council District No. 6, at a cost not to exceed \$550,000.00.

Also,

No. 1653 Resolution Amending Resolution No. 1018, effective January 1, 1997, entitled "Adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program and approving the 1997 through 2002 Capital Improvement Program," by creating a new line item, titled, Lower Allegheny Riverfront Park.

Also,

No. 1654 Resolution further amending Resolution No. 994, effective December 30, 1994, as amended by Resolution No. 34, effective February 8, 1996, entitled, "Providing for a Contract or Contracts, or use of existing Contracts, and/or an Agreement or Agreements, or use of existing Agreements, for the Rehabilitation of the Meadow Street Bridge, providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof," by increasing the total project allocation by \$150,000.00 from \$1,600,000.00 to \$1,750,000.00.

Also,

No. 1655 Resolution further amending Resolution No. 1455, effective January 1, 1994, entitled, "Adopting and Approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program and approving the 1994 through 1999 Capital Improvement Program," by increasing EC94-63 Meadow Street Bridge Rehabilitation Trust Fund Transfer by \$150,000.00 from \$1,600,000.00 to \$1,750,000.00.

Also,

No. 1656 Resolution that the Mayor and/or the Director of the Department of General Services and the Director of the Department of Engineering and Construction, on behalf of the City of Pittsburgh, are hereby authorized to advertise for proposals and to award and enter into an Agreement or Agreements, or use existing Agreements and/or a Contract or Contracts, or use of existing Contracts for the Renovation and Maintenance of

Various Public Buildings and for the purchase of materials and equipment for such projects, at a cost not to exceed \$91,179.50, chargeable to and payable from Account 600000, Fund 5100, Budget Year 1997.

Also,

No. 1657 Resolution that the Director of the Department of General Services and the Director of the Department of Engineering and Construction, on behalf of the City of Pittsburgh, are hereby authorized to advertise for proposals and to award and enter into a Contract or Contracts, or use existing Contracts for the Installation of Debris Nets for the Greenfield Avenue Bridge, at a cost not to exceed \$100,000.00, chargeable to and payable from Account 600000, Fund 5100 org 301000, Sub-Class PGHPR, Project/Grant 2231018, Budget Year 1997.

Also,

No. 1658 Resolution providing for a Right-of-Entry and Easement Agreement with The Roman Catholic Congregation of Prince of Peace Parish in connection with the expansion of Volunteers Baseball Field, located in the 29th Ward, Council District 4, for and in consideration of the sum of One Dollar (\$1.00)

Which were read and referred to the Committee on Engineering & Construction.

The Chair:

Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

No new papers.

The Chair:

Thank you Councilman Onorato.
Mr. Udin for Mr. Ricciardi, Committee on
Public Works, Water and Environmental
Services.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

**MR. UDIN FOR MR. RICCIARDI
PRESENTED:**

No. 1659 Resolution Repealing
Resolution No. 577, approved July 31,
1996, entitled, Granting unto Edward and
Cecilia Wlodowski, 2837 Sumner Street,
Pittsburgh, Pennsylvania 15203, their
successors and assigns, an encroachment
to construct, maintain and use at their own
costs and expense, a fence on a portion of
the right-of-way on Flynn Street in the
16th Ward, 3rd Council District of the City
of Pittsburgh.

Which was read and referred to the
Committee on Public Works, Water and
Environmental Services.

The Chair:

Mr. Udin, Committee on Finance
and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

MR. UDIN PRESENTED:

No. 1660 Resolution providing
for an Agreement with KPMG Peat
Marwick LLP for professional services for
the City Controller, in connection with the
1996 CAFR for the City Controller, in an
amount not to exceed \$8,000.00,
chargeable to and payable from Code
Account 1048, Index Code 104802,
Miscellaneous Services, Department of the
City Controller.

Also,

No. 1661 Resolution authorizing
the Mayor to initiate and operate the City
of Pittsburgh Economic Development
Marketing Fund dedicated to attracting
jobs and businesses to Pittsburgh, at a cost
not to exceed \$75,000, chargeable to Code
Account 156, Budget Year 1997.

Also,

No. 1662 Resolution amending
Resolution No. 880, Item F, effective
November 19, 1996, which authorizes the
sale of a vacant lot, located at 108-1/2
Wabash Ave., 20th Ward, Block 19 M,
Lot 62, to Michael R. Locke and Lucille P.
Locke, his wife, for the sum of \$350.00, to
correct the lot size.

Also,

No. 1663 Resolution providing
for the conveyance by the City of

Pittsburgh of certain property under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", having been placed for sale in conjunction with the City of Pittsburgh City Source Associates Sideyard Programs.

Also,

No. 1664 Resolution providing for the conveyance by the City of Pittsburgh of certain property under with Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", properties located at 687 Margaret Street, 33rd Ward and 340 Marshall Avenue, 26th Ward.

Also,

No. 1665 Resolution providing for the filing of a petition or petitions for the sale of certain properties acquired at tax sales in accordance with Act No. 171 of 1984, Second Class City Treasurer Sale and Collection Act.

Which were read and referred to the Committee on Finance and Budget.

THE CHAIR PRESENTED:

No. 1666 Resolution providing for a warrant in favor of American Legal Publishing Corp. in the amount of \$1,995.00 in payment for professional services for the Pittsburgh City Code, chargeable to and payable from the City Code Trust Fund.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

That concludes our Presentation of Papers. Moving to Unfinished Business or Reports of Special Committees, any matter to be brought before the Body?

Again, the work of the special committee that was formed regarding the review of the Historical District Ordinance has been completed as represented by the Ordinance change that Councilman Hertzberg has submitted today. I believe, basically, that committee has successfully completed its task. I think we have a good work product and a test of support of the Commission, the Commission staff, the Planning Commission and the Administration. I think it's a good compromise in the number of the issues and criticisms of the previous bill. That committee no longer exist and will no move on to the formal legislative review of the ordinance as has been submitted which will require a public hearing. Councilman Udin.

Mr. Udin:

There was some unfinished business from a Council resolution of last week concerning a letter to the City Solicitor, would you care to take that up now or at the end of the meeting?

The Chair:

I think you can take it up now if I can remember what it was.

Mr. Udin:

It had to do, Mr. President, with the Justice Department's investigation and a request on the part of Council to have the Solicitor to give Council legal opinion relative to Council's involvement in those

discussions and the potential drafting of a Consent Decree.

The Chair:

We don't have a response at this time. We'll follow-up on that.

Mr. Udin:

Thank you, Mr. President.

The Chair:

Thank you. Any other matter? If not, moving to Reports of Committees, beginning with Committee of Finance and the Budget, Councilman Udin, Chair.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

REPORTS OF COMMITTEES

MR. UDIN PRESENTS:

Bill No. 1667

Reports of Committee for Finance and the Budget for February 19, 1997 transmitting sundry resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

No. 1602 Resolution providing for the issuance of a warrant or warrants in favor of the Mattress Factory Museum in the amount of \$1,539.50 Barbara

Luderowski, Executive Director, for utility costs in leased space located at 503 North Taylor Street, Pittsburgh, PA 15212.

Also,

No. 1605 Resolution providing for the issuance of a warrant in favor of Peterson Consulting in the amount of \$30,144.17, One Mellon Bank Center, 500 Grant Street, Suite 2810, Pittsburgh, PA 15219, covering Professional Services provided in the form of expert testimony in the case of Moscatiello V. City of Pittsburgh at GD No. 90-15247. Charge the same to Code Account 1075, Index Code 107508, Account 526100, Sub-account 150, Fund 1000, Organization 108000.

Also,

No. 1606 Resolution providing for the issuance of a warrant in favor of Jeffrey A. Mohny in settlement of claim for damages to clients vehicle due to City tree roots, at a cost not to exceed \$2,250.00.

Also,

No. 1607 Resolution providing for the issuance of a warrant in the amount of \$1,091.40 in favor of George Ware in settlement of claim for an accident involving a City police vehicle.

Also,

No. 1608 Resolution providing for an Agreement or Agreements with Service Provider or Providers to provide all food and beverages and services in connection with the Mayor's Awards Ceremonies for the City of Pittsburgh

employees, at a cost not to exceed \$10,000.00.

Also,

No. 1609 Resolution that the Mayor and the City Controller are hereby authorized to enter into an Agreement with Dickie, McCamey & Chilcote, P.C., for Professional Services for the City Controller, in the amount not to exceed \$80,000.00.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Udin
Mr. Hertzberg	Mr. Ferlo
Ms. McDonald	(Pres't)
Mr. O'Connor	

NOES:

AYES: 8 NOES: none

The Chair:

All of the bills having received the legally required number of votes, have been approved finally.

Committee on Public Works,
Water and Environmental Services,
Councilman Udin for Mr. Ricciardi.

Mr. Udin:

Mr. President.

The Chair:

Thank you Mr. Udin.

**MR. UDIN FOR MR. RICCIARDI
PRESENTS:**

Bill No. 1668

Report of the Committee on Public Works,
Water and Environmental Services for
February 19, 1997 transmitting sundry
resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1604 Resolution granting
unto Small Brewing Company, LLC, 110
Smallman Street, Pittsburgh, Pennsylvania
15222, their successors and assigns, an
encroachment to construct, maintain and
use at their own cost and expense, a
balcony with five (5) steel columns,
window covers, bollards, sidewalk cafe
and trees on a portion of the sidewalk area
on Smallman Street and a planter on
Twelfth Street in the 2nd Ward, 6th
Council District of the City of Pittsburgh.

The Chair:

You have heard the reading and
title of the bill, is there any discussion?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill, will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please pass the roll?

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Udin
Mr. Hertzberg	Mr. Ferlo
Ms. McDonald	(Pres't)
Mr. O'Connor:	

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes, have been approved finally.

That concludes our Reports of Committees. Under Motions and Resolutions, are there any matters to be brought before the Body? Councilman Cusick then Mr. Udin.

Mr. Cusick:

Thank you Mr. President. Today I want to speak a little bit about Route 51, Saw Mill Run Corridor. It's been a missed opportunity of development as well as a notorious bottle of neck of traffic for over the past 30 years. The Corridor has been allowed to decay and is basically been an economic disparity for a number of years. While the municipalities that rely on the outskirts of the City in the South have

profited from the development to this vital link to downtown, I believe there is an overwhelming need to create a working group to develop a master plan for the Corridor. Especially now that we're doing some work at the Liberty Tunnel in the regards to the interchange and that the State is now looking at the 51, 88 intersection and ALCOSAN has put thirty to forty million dollars into the Creek. I think that if we don't take advantage of what is happening on the Corridor, at this time, we're going to miss a great opportunity to see that Corridor develop and prosper.

I am pleased to say that in the very near future, I am hoping to announce a couple of development plans for that Corridor, but there needs to be a lot more work. I've invited Senators Santorum and Spector, State Senators Jack Wagner and Costa, Representatives Gigalotti and Petrone and Readshaw along with Mr. Nutbrown from the State and Michael Graham, the Executive Director of ALCOSAN, the Director of the Allegheny County Economic Development, Dennis Troy, along with the Executive Director of Spurt, our own Eloise Hirsh, Commissioners Dunn, Dawaida and Cramner, Congressman Coyne along with the Manager of the Planning Division for Port Authority and have asked the URA and the Murphy Administration and the Mayor to be present at this meeting. Along with the County Redevelopment Authority and the Community Councils of Carrick, Brookline, Knoxville, Beltzhoover, Beechview, and Mt. Washington Community Councils all to be present. I am also asking all of Council and, especially, the affected Councilmembers of the affected areas to be on hand on March 4th at 6:30 in

Council Chambers. I will be making a motion at this time to have that meeting televised. I think that South Pittsburgh has been left out of the loop as far as development has gone. I think it is time that we step up to the plate and get our fair share of some of the good things that are happening. I would just like to add to that as I've stated earlier, I've asked Congressman Coyne to be present and I think we need this great deal of discussion on this armory that sits on Route 51 that we find a way to have that, as Councilman O'Connor did in Haze with the ammunition plant and we have it turned over to the Community group that we can make those some type of professional building of some sort and see some real work on the 51 Corridor. At this time, I'd like to make a motion --

The Chair:

Are you proposing a post-agenda meeting in the evening? What are you proposing?

Mr. Cusick:

A post-agenda meeting at 6:30 in the evening to allow the Community Councils and others to participate in the hearing and that it be televised.

MR. CUSICK motioned to have a post-agenda meeting regarding Route 51 on May 4th at 6:30 p.m.

MR. RICCIARDI seconded the motion.

Mr. Cohen:

I just want to thank Councilman Cusick for his leadership. There's no

doubt that that Route 51 Corridor has a blighted appearance and it can use all of the existence it can get. As a board member of the URA, I'm committed to assisting in anyway that I can assist with some kind of help for that area.

The Chair:

I would think a planning meeting would be a more appropriate in the district. But, if it's going to be out in Council Chambers, my only concern is that we're kind of parting from our practice in having a cable casting of a post-agenda meeting when some of us cannot necessarily be there and it looks like we're not either interested, supportive or are lacking in attendance, when we're called to task. I just have that observation.

Mr. Cusick:

After speaking with the Overbrook Community Council and the leadership of Fran Ecomondol, we thought it would be more feasible for the Community to participate in such a public discussion and be able to have some members --

The Chair:

I think that's fine. I don't object it. My concern is that you're requiring or asking the rest of us to be at a meeting that's cable casted.

Mr. Cusick:

I'm asking more so for Councilmembers from the affective areas be there. Realizing that you and other members of Council have some important issues in their own district that may be in attendance. I think that myself and

Councilman Ricciardi and Councilman Hertzberg, it is our duty to make sure that we are there because it affects all of our areas. We would understand if other members of Council were not able to be there. I think the message here is that we allow the community and the people that are involved in the everyday business of the community participate and 6:30 in the evening, seems to be a better time. I do apologize for the time, but most of these people that work very hard in their neighborhood everyday --

The Chair:

I just think it's fair to the rest of us to have a former public hearing so we can schedule it. This is the first I've heard of the March 4th meeting and I just don't want you to take the fact that I may or may not be there, because I don't even know what my schedule is, in no way to be disrespectful to the community groups or the project which to me is long overdue in terms of a master plan for the 51 Corridor.

Mr. Cusick:

I'll make sure that --

The Chair:

I just don't think personally it's fair to ask us to do a post-agenda at 6:30 without asking for a former public hearing, but that's just my own view.

Mr. Cusick:

I appreciate that, but at the same time, this is something that the community asked me to do.

The Chair:

It is breaking strives with what has been the protocol in Council which I don't necessarily object to, we'll go by the will of the majority. For them to start this, let's amend the rules of Council to deal with the fact that a number of us will be absent from the post-agenda meeting --

Mr. Cusick:

Should I be requesting a public hearing instead? I'll remove my motion of a post-agenda and make it a former public hearing, I have no problem in doing that.

The Chair:

I'm just curious, how many colleagues will be able to attend the cable casting of the 6:30 meeting? I just don't want to get into a pick about not having five people here.

Mr. Cusick:

I think anytime we do that. This is a date that we thought would work for these Chambers to be available. I apologize if it doesn't fit your schedule. Fortunately, I think it would fit the schedule of the Councilmen that are from the affected areas.

The Chair:

Then, I would ask that we at some point change the rules in Council so that it does not imply that a majority has to be here. And, that if we want to go off and do whatever we want to do for whatever reasons, political and policy wise, we can just go out and do that.

Mr. Cusick:

Mr. President, that's why it's a post-agenda because we do not need a quorum and understanding that Councilmembers --

The Chair:

But, we do need a quorum for cable cast meeting, that's the point. We've had this problem before.

In any event, all in favor of the motion.

Mr. Onorato:

I don't know what the motion is. You guys have been talking back and forth. What is the motion?

The Chair:

The motion is to have a cable cast post-agenda meeting on March 4th at 6:30 here in Council Chambers.

Mr. Onorato:

But, it still requires five members to be televised. We did not have a motion to suspend the rules of Council.

MR. CUSICK motioned to suspend the rules of Council and allow if, for some reason, five members aren't available, that we can go ahead and cable cast anyway.

Mr. Onorato:

I want to try to help you facilitate what you want to do, I don't be a robot. Let's a dangerous precedence. Why don't we just try to have the public hearing and get the quorum there. I think it's

dangerous to get into a situation where we don't even require a forum for televised. We're talking about a situation where we have a lot of employees here and will be working after their regular hours. We'll have things televised with one Councilmember every night of the week, the way this is going to go. I don't want to open up that can of worms and I don't think it's responsible. I think we should have five there, Councilman. I would ask you not to suspend the rules but leave it the way it is.

Mr. Cusick:

I don't care how it happens, but I know that South Pittsburgh deserves some type of forum that not only that the people that are involved in the everyday of my district and Councilman Hertzberg's and Councilman Ricciardi's district can be involved and the people who are unable to be there can see exactly what is going on and what we're talking about. I think that's real important. I don't care if it's a public hearing and I don't care if it's a post-agenda as long as we get televised and people have the opportunity to, at some point, have an input to what exactly we're talking about, the South Corridor of 51.

Mr. Hertzberg:

Mr. President, I would just like to make a friendly amendment that this be a public hearing. I think the format of a public hearing is more suitable.

The Chair:

I think we're losing a lot of political timing of this hearing to be quite honest with you. We can have a public

hearing and everybody can have an opportunity to come and speak.

MR. CUSICK motioned to have a public hearing on March 4th.

MR. COHEN seconded the motion.

The Chair:

We will try to coordinate a public hearing and the other affective colleagues.

Mr. Cusick:

Can we do that on March 4th?

The Chair:

I will talk to you after this meeting Councilman, this is the first I've heard of this.

Mr. Cusick:

Well, I just want the motion on the post-agenda to stand because I have invitations out already.

The Chair:

Well, then, we'll have to have the hearing on the 4th, then.

Mr. Cusick:

The post-agenda or is it a public hearing?

Mr. Onorato:

Why don't we determine that tomorrow what it is? Councilman, how is that as a compromise? We determine

tomorrow what it is. If five of us can make it, it will be a public hearing.

Mr. Cusick:

Well, I'm having the meeting on March 4th, a televised meeting on March 4th.

The Chair:

Councilman Udin.

Mr. Udin:

The Councilman wants to have a meeting on March the 4th and the Councilman is entrenched in that date, Mr. President, I don't know that it's fair to have such a meeting that requires the attendance of other members when they haven't had the opportunity to adjust their schedules. Either the Councilman needs to be flexible with the date or attend it as an informal meeting with those who can accommodate that date. To have an official meeting of Council on a specific date that is so close to today, is unfair to other members of Councils and it shouldn't be entertained by the Chair.

The Chair:

Why don't we move to have the public hearing. I will work with Councilman Cusick to accommodate the 4th date. We'll try to resolve this. Let's work together. I just don't think that it's fair to the rest of the colleagues when it's sprung up like this so we can have a discussion. It doesn't mean you shouldn't have meeting, you can have all the meetings you want whether they're in the district or in the Chambers, that's your prerogative, but when you cross the line

and ask for the cable casting then it involves the rest of us in terms of our schedules and commitments.

Mr. Cusick:

I just want the meeting. I had a motion on the floor to have it televised. It's a public hearing and I would hope that the Council President would accommodate the March 4th because there are a number of people from United State Senators invited to Senators and those invitations have already been sent out. I had talked to the City Clerk on this date two weeks ago -

The Chair:

The City Clerk doesn't set the dates, just so we're clear on that.

Mr. Cusick:

I understand that. But, I didn't know that going --

The Chair:

Thank you very much.

Any other matter to be brought before the Body? Councilman Udin then Councilman O'Connor.

Mr. Udin:

I want to bring to your attention the apparent continued problem of police brutality and false arrest and obviously a continued refusal or inability on the part of the Administration to respond effectively to continued abuses. The expansion of the ACLU and NAACP lawsuit gives some evidence to the fact that these abuses

continue despite the efforts of the new Chief of Police and the Mayor to curb them and to get control of these abuses within the police department. I'm discouraged, Mr. President, that we haven't heard from the Solicitor on the unanimous vote of Council that we took last week urging that Council be involved in the deliberations with the Justice Department and, especially, if there's going to be a Consent Decree that we certainly be involved in the drafting and the particulars of that Consent Decree. It would better for Council to be involved in front rather than after it's all drafted and submitted. Ultimately, if there's going to be any dollars attached to that agreement in anyway, Council is going to have to pay for it. So, I would just encourage that somehow the Administration find a way to communicate with Council regarding this problem.

One other issue that is very disappointing, Mr. President, has to do with the charges that are apparently included in the ACLU expanded lawsuit which involves police officers who abuse citizens and aggravating that abuse with additional charges such as, disorderly conduct and aggravated assault and resisting arrest and, then, offering to drop those charges in exchange for a written agreement not to file charges or to fill out a complaint or to sue the officer. Apparently, this practice, if it is true, also has to involve some involvement of the District Attorney's Office in agreeing to drop those charges in exchange for an agreement not to file a complaint or to bring charges or a lawsuit. That has to be unconstitutional. It is the most egregious thing I have heard. I don't know where we get a policy of offering citizens to drop charges. First of all, the charges are often

trumped-up charges to justify a confrontation that an officer has had, and now we have this practice of taking about citizen's rights to complain and to file for redress by offering them to sign an agreement not to bring charges.

The problem, rather than getting better, Mr. President, the general problem of police behavior and misconduct, seems to be careening continually out of control. I don't see anyone stepping forward to get control of it and to bring it within the realm of democracy and decency. We need to be trying to settle this matter, not take it to court. We need to acknowledge the problem, not deny that they exist. I would just urge members of Council especially those members of Council who have aspirations for Citywide leadership to distinguish themselves in helping to bring control of this situation rather than just tailing behind the Administration's constant denial that we have a serious problem. We have a very serious problem, Mr. President and Council needs to either act in conjunction with the Administration or act independently, but somehow this problem has to be brought under control. Thank you.

The Chair:

Thank you. Councilman Onorato on this same issue.

Mr. Onorato:

I wasn't going to comment today, but I feel compelled that I have to say something on the issue. I agree with some of the comments that my colleague, Councilman Udin, I disagree on a lot of the other comments. The vote that we took last week and it was unanimous, my

support is to get an answer from the Law Department over the consent in question that you asked Mr. President. My vote did not indicate that I thought that we should be in the drafting of any consent order. I strongly believe that a consent order and the drafting of and the negotiation should be handled through the Mayor's Office and through the Justice Department and, then, we would have any say so over any budgetary impact, obviously, because that's our function. That's my personal view on this issue. I still think the Solicitor should respond to what our role is and that's why I supported that request.

At the same time, I'm a little concerned one on the problem that exist. I don't know how big it is or how small it is, we're waiting to hear, the investigation is still going on. But, I am concerned that the ACLU continues to make the allegations and add more plaintiffs. I want to stress, these so far I think are allegations, I don't think we threw out the entire Justice System that we have where people go to trial and there has to be evidence to back up some of the accusations. But, the ACLU is very slick and they're very good at throwing out allegations with the accomplish of the newspapers that put articles in there that basically act as though it's facts. If you've read today's article and if you look at the spread of all the individuals and what's being said and the lack of response from the other side because it is in court, and I don't blame the other side for not responding because that's not the way to handle this. However, it looks like it's one sided because you have individuals making allegations that still have to be proven in court and we're in the middle of all of that. But, yet, the perception out there is though the police department is

out of control because of all the allegations that you here, the onesidedness of the argument to date. It's yet to see how bad the problem is in the City of Pittsburgh or what type of negotiation is going on. So, I am very concerned. If this thing drags out long enough, the ACLU probably could have every citizen on that complaint at the rate they're going.

I'm very concerned about the way this is going publicly because I think it's doing damage to the entire police department. I hope that it does get settled. I hope it gets settled on both sides, that both sides are reasonable on this. I think that the Justice Department has shown signs that they're serious about sitting down and talking. I hope the Administration does do that, sit down and talk. I haven't seen any sign from the ACLU that they're serious about sitting down and addressing the issue. I heard a representative from the ACLU on the radio today. He wasn't even using the words allegation or there's a complaint, he was basically speaking as though these were facts, saying I want to make it clear that the police has done this and they're doing this. Well, these are allegations and I don't want to lose that point so far. If we're going to have ten more added tomorrow and another 20 next week, we have to be careful because the City as an entity has to respond legally and they're will be a legal forum to do this. I am not willing to accept every allegation from the ACLU as a fact and I refuse to do that today. I think that the negotiation should continue and that's the positive thing that should come out of this. And, that if there is a compromise somewhere that everyone can live with, fine. If there isn't, we'll you let the legal system churn away and deal with the results of the legal system.

As far as I'm concerned, I think that the City and the Law Department are purposely not responding and that's rightfully so because there's a lot of issues out there and you don't want to expose yourself to liability because of a comment from the Law Department that shouldn't be said out publicly but should be handled in the court of law. It's easy and, unfortunately, that's where our system is. If somebody files a complaint, that gets reported first and you only hear the one side. While we move forward, I would just hope that we try to remember that all of the information has not been debated yet and has not been brought forward and we have to see what the final result is. I'm very skeptical of what the ACLU is doing.

I'll just end by saying this, I don't put it by them and I don't accuse any of my colleagues of doing this, but the ACLU. If the Civilian Review Board questions gets to the pools, I tell you what, the ACLU has done a heck of a job of lobbying for a yes vote for Civilian Review Board by throwing additional plaintiffs on this report every week to keep this issue going. When this thing is settled or if it goes through the court system, I'm anxious to see how many of the 50, 60 or 70 individuals who are on the complaint, that are sustained their complaints. If three or four or ten or sustained, that's one thing and if there's a big dollar amount we'll deal with that issue. But, I hope that they go through everyone of the complaints on their to show if there's any truth to all of them, some of them, a small number, or a large number, I have no idea. I'm waiting to see that result at this point because I don't think that every single person that's filed a complaint is telling the whole story.

The Chair:

I think part of the frustration, at least I have or maybe we have as a legislative Body and certainly the public, is we are not in the driver's seat. We are reacting to these forces that are in play. The Mayor and the Solicitor, in fact, are in the driver's seat to some extent in addition to the fact as you have pointed out Mr. Onorato, the ACLU, by their own right has the prerogative to do whatever they want to do in terms of the filing. I've said it all from the beginning whether it's 10 instances or allegations or 50 or 60 or 100, as far as I'm concerned, they are allegations. They are disputed facts here. I'm not a judge and I'm not a jury and I'm not privileged to know what the deposition comments are on either side, I don't know that, I know what I've read in the newspapers and heard and we've had some testimony at former public hearings. But, until there's an factual issue presented to an impartial panel, then, as far as I'm concerned they're not facts until such time that individuals have the opportunity to argue them out. So, as far as I'm concerned I very much believe that people are presumed innocent until proven guilty and I think that standard should apply for everybody including our own City police officers. It may well be that it's appropriate, prudent and fair for the Administration and, we as a municipality, to allow our ability to argue and for the officer or the FOP or anybody else to defend and argue themselves through a court of law. That may have to happen on each individual complaint that's been filed.

I think the frustration is that where there is clearly a pattern of particular abuse

and where the individual incidence by the very number suggests that there is systemic problems regarding either disciplinary code or the blue code of silence or what have you, it's really the Mayor and the Solicitor who are in the driver's seat. They're the ones that have to kind of fair it out, what is a reasonable conclusion based on the a preponderance of allegations that have been filed. To the extent that they have done that and, I hope they're doing that, along with the fact that you have the back drop of the Justice Department situation, I would think, and that's why I've said from the beginning also, that I think we need to look at a Consent Decree. I think that we need to separate out the individual filings which we may have to proceed to a court of law to argue out factually, separate and distinct. I think we need to look at whether or not there are indeed reform or changes in the system itself that we should or could agree to. To the extent that we can do that, I still believe that the Mayor and the Solicitor should be showing some leadership now to get to that point. We may have to argue out the 50 or 60 cases, but to the extent that education and training and disciplinary code, all those kinds of systemic issues are on the table, I think that they have failed to show the leadership to bring to conclusion or to some remedy that part of this action that's being filed. Maybe you see it differently than that, but that's sort of where I'm at on a tactical level. I think that part of the frustration, at least that I have and a lot of the people in the public, is we don't see anything. We see an Administration very much defending the social order as opposed to saying, yeah, we're going to probably have to argue out factually because there's factual issues and dispute. But, to the extent that there's probably a

good indication that systemic changes are needed, I would ask that the Administration look towards trying to come to an understanding with the complainants and/or the ACLU and/or the Justice Department and try to sit down and see weather or not there couldn't be a Consent Decree on some of the broader system issues. That's sort of where I'm at right now. Independently of that, I still believe very strongly in the creation of the Civilian Review Board.

Mr. Onorato:

I just want to say that I agree with everything you said. From what I read through all the articles, it appears that the Solicitor's Office, our Solicitor, has been having meetings with the Justice Department. There was a meeting a couple of Friday's ago. That's just it, we have no idea right now what the Administration is planning on doing with the Justice Department and rightfully so. I don't think the Administration should be telling us what's going on. Maybe they are heading in the direction that you're talking about, we just don't know. I know there's been a lot comments back and forth publicly, but nothing talking about the Consent order or any discussion or where it's going legally. But, you know the Solicitor is working night and day on this issue. Who knows where it's going to end up. I think we should let the process go forward and we'll see if there is some kind of order or if it's going through the court system.

The Chair:

As was suggested last week, we will reiterate on behalf of the Body a request to meet with the Mayor and the

Solicitor regarding our former interaction. Councilman Udin.

Mr. Udin:

First of all, Mr. President, if I got into some trouble and I needed a good lawyer, I would certainly call someone like my colleague Councilman Onorato. But, whatever the problem would be in that situation, it's not Councilman Onorato who has been agreed, it's me. He's just my mouthpiece, he's my lawyer. What we ought to be concerned about here are the citizens who are involved in this lawsuit. It's not the ACLU bringing the lawsuit, the ACLU lawsuit is just the lawyers for the citizens. The citizens are the people who we represent. They are the people who elected us and if there is a problem between the police department and the citizens, we ought to be focusing on the problem, not attacking the ACLU. We can't be attacking the Justice Department. That's just helping us to avoid looking at the problem. The Justice Department is not the problem, the ACLU is not problem, and the NAACP is not the problem, they're just spokespersons for the problem. We have a responsibility to look directly at the problem and that's what I would urge both the Administration and my colleagues to do.

Mr. Onorato:

Mr. President, I agree with what Councilman Udin said, except on one issue. He's saying that I'm looking at everything but the problem. I'm not willing to say that there's a problem. If there's a problem --

Mr. Udin:

That's the problem.

Mr. Onorato:

The difference here is some of us are starting with the assumption that we believe all the allegations as the problem. I'm not starting with that assumption yet and I have to look at the ACLU because they are the mouthpiece. They're the mouthpiece for the citizens saying there's a problem. Now, if we are going to decide that there is a problem and it's widespread then I agree that we should take action. I don't think it's widespread. It hasn't been proven that it's been widespread. Until that day happens, I can't take any action. I think that the police deserve as much of the civil and legal rights that anyone of us have here regardless of who's making the accusation. I don't care if this list goes upto 200 citizens, we can't just say the numbers are high now, guilty, guilty, guilty, guilty, I don't operate that way. We have to make sure it's proven. I don't know what the problem is, none of us do because it hasn't been proven, these are allegations. At the beginning of Councilman Udin's comments, he said, if there is a problem. I want to stress that word, if an how much if there is a problem, I don't know that answer.

The Chair:

Any other comments on this?
Councilman O'Connor.

Mr. O'Connor:

If there was a problem, I think it was addressed by this Council. At least we brought it to the head six months ago to start addressing problems with the internal organization of the police

department. Such as, Ms. McDonald and yourself, and we all voted for the way they are reviewing police, training police and all of that. So, at least we admitted that there's a need to improve our police force, I don't know that this Mayor has if he's running from the problem. I will support you on what we in Council have already done and the Mayor has kept his head in the sand for a long time on the police force. But, I have another subject that's come up on while we're talking about police and problems.

Over a year ago, if this Council remembers, we sat here and actually debated the weed and seed program, you were lobbying to get it in your neighborhood. The Administration choose the Hazelwood area and, I think, shared by Homestead. Possibly, you better lucky and glad you didn't get it because my neighborhood got the weed and seed program and so far in the last three weeks, we've had six shooting, numerous armed robberies, I have letters from new businesses saying their employees are afraid to go to work. This is a very good community. I had a meeting with some of the weed and seed leaders and trying to be good soldiers and not exposing things and not saying too many things publicly at the table, keep it hush, hush, we're investigating and we're investigating. Well, guess what, there's nothing being investigated. There was a couple of officers paid a little overtime to go down to Hazelwood once in a while and we are seeing the results of it. In fact, when you really start looking at things, the URA actually gave a loan to a nuisance bar down there recently, so that's how the right hand knows what the left hand is doing in this Administration. But, I am urging here. I had a small meeting and I

don't have the power that the Mayor does with the U.S. Attorney and the DA's Office and they've agreed that there is a problem and they are going to address it. Now, this was a month ago. We, in Hazelwood, and the citizens anywhere in the City cannot wait any longer. So, what I'm saying today, I'm urging the Administration to attack this problem before we lose a whole community which has a solid base. There's only a few blocks and I'll go down there tonight or tomorrow night with the police myself if I have to and show them the problem. Everybody says, here it is, but nobody's doing anything about it. You can say that crime is dropping, we'll shootings in my neighborhood aren't dropping and I see it in other areas of the City. I pray we don't have an incident like Homestead had where an innocent child was shot while his parents were just getting gas. Do we have to wait for something like that to happen to get the Marines to wake some of these leaders up? If something isn't done soon, I'll be calling for an audit of money, the weed and seed audit, and what it's doing because I haven't seen the results there. I'm urging the Administration to please, I don't want to make this political, but the people in Hazelwood deserves better, especially if the money's there, to go after the small problem there and to fix it.

The Chair:

Thank you very much. Any other discussion?

I would ask my colleagues to please try to refer back to the Council rules regarding this earlier discussion we had with Councilman Cusick regarding the cable casting issue. I think we need to amend the rules to be fair. I will hearken

back to an incident, we had elected officials and guests here from Philadelphia, at least the four of us did, asking respectfully that a meeting be cable cast regarding our advocacy on an issue that we felt was just as important as the Route 51 development and that happens to be the Civilian Review Board. We were only asking the opportunity during the day to have a meeting cable cast in order to proceed.

Mr. Cusick:

I asked for a post-agenda so that if you could not be here, that your schedule did not accommodate you or allow you to be here, that it would not be in anyway marked against you. I asked for the motion to suspend the rules so that it would not further not make you be here. This is about South Pittsburgh. I'm tired of seeing things happening in Lawrenceville and North Side and other parts of the City and not happen in the South Hills. I don't think it's a lot to ask or a lot to accommodate the people of the South Hills Community of Pittsburgh. If you want to make this a big problem, I guess you've started that and I guess you can continue that. But, my original request was for a post-agenda, not asking you -- we had called trying to get the United States Senators, State Senators and had to bend to certain other schedules and I apologize that I assumed that this Council would not give me a problem about holding a meeting on a very important roadway that links, not only this City to the southern suburbs. But, it does seem to be a problem and I guess we'll have to work it out to the best of our ability. You do what you have to do and I'll do what I have to do.

The Chair:

We will work it out. You're missing my point. My point is that I definitely want to be there.

Mr. Cusick:

My point is that you've become nothing but an obstructionist in all of this. We could have sat in the back room and discussed and done this probably, but instead you felt it was important to show that I was unable have a meeting of my communities and the Councilmembers that agreed with me from the surrounding committees that it needed to be held to as quickly as possible so that we, too, as such as other communities have in this City, can make sure we prosper from the political process that will happen in May as far as Mayoral elections go. That we're not forgotten when it comes down to getting promises and having things happen. That's why it was such an urgency that we have this meeting as quickly as possible. I apologize to any Councilmember if you feel that I've done this just to not allow you to be at this meeting, that was not my intention. My intention is only to get the community and the people and the state and the federal government involved into a process that has gone on in other sections of the City. I don't think South Pittsburgh asked this City for much and to have one meeting televised, I still don't think it's much.

Mr. Udin:

Code of order, Mr. President. Did we decide this question or not?

The Chair:

I just want it clear that I'm raising three points. One, I not only want to support the issue and I want to be there in order to show my support. The only other point I have is the procedural point and that is a sense of fairness to the rest of the colleagues in a level playing field as it relates to all of our ability to use the cable casting of meetings to be an affective advocate on whatever issue that we find very important. That's the point I'm going to close on.

Any other matter?

MR. UDIN motioned to adjourn the legislative session.

MR. ONORATO seconded the motion.

The Chair:

This legislative meeting is adjourned.

Stenotype Reporter:

Transcribed by: Lenora Johnson

MUNICIPAL RECORD

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, March 4, 1997

PRESENT:

Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Ferlo
	(Pres't)

The Chair:

Good morning everyone. I see a lot of honored guests in the audience who are about to be recognized. A special hello to our birthday lady, Mrs. Thelma Lovett, who's here today also.

Would you all please rise for the Pledge of Allegiance and would you please remain standing for moment of silent prayer so that we may have peace throughout the world.

We're very pleased to have a young honor student here this morning. Her name is Lashay Wadley, she's 9 years old from Lincoln Elementary School in Councilwoman Valerie McDonald's district. She's accompanied by her mother, Noreen Burton, Quiana Wadley her sister, Takema Burton another sister, and Delores Bailey her grandmother. We have school representatives, Regina Govachni from the Lincoln School, she's the Developmental Advisor. At this time, Leshay is going to lead us in the Pledge of Allegiance.

Leshay Wadley:

I pledge allegiance to the flag of the United States of American and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you Leshay. You did an excellent job. Our City Clerk would like to present you with a flag of our great Nation and the flag of our City. Thank you and your family and all the school representatives for coming down here today.

At this time, I'd like to call on Councilman Alan Hertzberg.

Mr. Hertzberg:

Two to be read into the record, Mr. President.

The Chair:

Two to be read into the record.

MR. HERTZBERG PRESENTS:

No. 1669 WHEREAS, Robert M. Chubarov, son of Colleen and Martin Chubarov, is a member of the Boy Scouts of America, Troop #66, sponsored by Sheraden Community Presbyterian Church on Allendale Street, in the 20th Ward of the City of Pittsburgh, Allegheny County, PA, and

WHEREAS, Robert has satisfied the Eagle Scout requirement of earning 21 merit badges, of which 11 are mandatory in the Outdoor, Fitness and Service Fields, and 10 are in the Fields of his own choice, and

WHEREAS, Robert was an Assistant Senior Patrol Leader; and for his service project, in cooperation with the Children's Youth Services of Allegheny County, and under his leadership, scouts, friends, and church organizations collected and distributed TOYS FOR TOTS, as well as much needed clothing, and

WHEREAS, with 77 groups participating for the Christmas season in 1995, Robert was recognized as the only single individual bringing in the most donated goods, and was so commended by the Allegheny County Commissioners, and

WHEREAS, only those young men who have been outstanding in scouting, exhibit only the highest ideals, have the esteem of their community and fellow scouts, and serve in a position of

responsibility and leadership obtain Eagle Scout status, the highest rank in the Boy Scouts, and

WHEREAS, through his enthusiasm, hard work and dedication, Robert has successfully fulfilled all these requirements and has been presented with the Eagle Badge at the Court of Honor ceremonies February 28, 1997.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby congratulates Eagle Scout Robert M. Chubarov on his recent achievement and commends him for his accomplishments.

Also,

No. 1670 WHEREAS, a group of concerned parents, community leaders, and area educators of the west section of the City of Pittsburgh, gathered together nine years ago to create a safe place where area residents could go for free education and computer assistance, and

WHEREAS, after three years of hard work researching, writing proposals, raising funds, investigating and evaluating equipment and software, forming partnerships with area schools and the community, the dedicated group volunteered their time, talents and resources to create the Sheraden Homework and Computer Center, known as SHACC, and

WHEREAS, in February, 1992, the Board of Directors opened the doors of SHACC in the library of the Elizabeth Seton School in Sheraden, providing a safe, well staffed and equipped facility to promote academic achievement, motivate

advanced learners, stimulate underachievers, expand computer literacy, increase employability, and give access to the Internet, and

WHEREAS, the SHACC staff includes certified teachers, teachers' aides, and trained volunteers who offer more than 2000 registered clients, who range from preschoolers to senior citizens, homework and research assistance, tutorial services, basic computer instruction and workshops, preparation for GED and SAT examinations, and retraining for displaced workers in computer skills, and

WHEREAS, SHACC has just celebrated its 5th anniversary, successfully fulfilling its mission, growing and expanding beyond all expectations, and SHACC is committed to continuing these services and developing additional programs, as needed by its clients.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends Sheraden Homework and Computer Center's Board of Directors, teachers, aides, and volunteers on a marvelous program developed and designed for the benefit of the entire community, and wishes them continued success.

MR. CUSICK motioned to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Councilwoman McDonald.

Ms. McDonald:

Would all the representatives of Big Brothers and Big Sisters of Greater Pittsburgh for the 16th Annual Bowl for Kids Days, please come forward to receive a resolution.

I just want the audience to know that that little girl that did that pledge of allegiance, her teacher in school happened to be my first grade teacher.

I'll read the resolution.

MS. MCDONALD PRESENTS:

No. 1671 WHEREAS, on Sunday, March 9, 1997, Big Brothers and Big Sisters of Greater Pittsburgh will host its 16th Annual Bowl for Kids Day, and

WHEREAS, established in 1965, Big Brother and Big Sister volunteers offer positive guidance and direction to at-risk children in Allegheny County. Preventative in nature, the organization members get involved with children before problematic behaviors can take root and they steer children away from destructive life choices, and

WHEREAS, over 220 teams will secure sponsors and bowl to raise money for the event this year. Bowl for Kids Day raises about 32% of the agency's annual operating budget and will help underwrite costs to match children on the waiting list with their Big Brothers and Big Sisters, and

WHEREAS, since 1990 Big Brothers and Big Sisters have doubled the number of children that they serve annually. In 1996 alone, the organization made the difference in the lives of 366 area children.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends Big Brothers and Big Sisters of Greater Pittsburgh for its commitment to enhancing the lives of our youth. We also extend our appreciation to all those participants in the 16th Annual Bowl for Kids Day for their contributions to this most worthwhile cause.

MR. ONORATO motioned to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Ms. McDonald:

Thank you very much. Many of us have been involved with some of the events that help fund the Big Brothers and Big Sisters. This organization has been around for quite a long time but, unfortunately, as our social climate deteriorates in urban areas as well as surrounding areas for that matter, it makes more of a need for an organization such as this. It increases their waiting list and depletes the resources. So, we're always trying to make sure that we commend an organization such as this for staying afloat and being very aggressive and assertive in making sure that funds are made available to help those children who otherwise would not have the help that they need. So, who wants to accept this resolution.

Ms. _____:

If I could just say, in addition to Melanie McCantin that Hunter Board Members on behalf of Big Brothers and Big Sisters would like to thank the City

very much for its support and all the citizens for support as well.

Ms. McDonald:

Tom or Melanie did you want to say anything? Barbara you come on over here. I want to, officially, -- you've invited me to a number of functions and I just wanted to say that I try to put my money where my mouth is. This check is made out to Big Brothers and Big Sisters from me. Again, I believe in the organization. I challenge everyone to contribute whatever you can. It can be a little or it can be a lot, but it certainly help those kids. I've met some of those kids who have been served by Big Brothers and Big Sisters. It also helps to find Big Brothers and Big Sisters for those children. Is there anything else Melanie?

The Chair:

I believe Councilwoman McDonald has one to be read into the record on behalf of all of our colleagues.

MS. MCDONALD PRESENTS:

No. 1672 WHEREAS, on Saturday, March 1, 1997, YouthBuild Pittsburgh, Inc. will celebrate the accomplishments of the graduating class of "1996", and

WHEREAS, incorporated July 24, 1991, YouthBuild Pittsburgh was one of the first seven YouthBuild Programs in the country during 1992 and 1993. It was modeled after successful programs operating in New York City's East Harlem and the South Bronx. Since then, the YouthBuild network has grown to include 145 programs nation wide, and

WHEREAS, throughout its existence, YouthBuild Pittsburgh has been a driving force to meet its goal of positively impacting the lives of our youth. It serves to empower young people through the development of technical, academic, leadership, and life skills resulting in self-sufficiency and personal growth, and

WHEREAS, this year's graduating class consists of 28 highly-motivated, successful young men and women. These students have demonstrated a desire to learn and achieve. They serve as an example to their peers.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends the students of the graduating class of YouthBuild Pittsburgh, Inc. for their hard work and determination to realize their goals. We also extend our appreciation to YouthBuild for taking an active role in the lives of Pittsburgh's youth.

MR. O'CONNOR motioned to adopt the resolution.

MR. CUSICK seconded the motion.

Which motion prevailed.

The Chair:

Councilman Onorato, I believe you have one to be read into the record.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman.

MR. ONORATO PRESENTS:

No. 1673 WHEREAS, Mr. Michael Spudich was subjected to a Board of Review as a candidate for the rank of Eagle Scout on Wednesday, January 15th, 1997, and

WHEREAS, after this review, Mr. Michael Spudich, a member of the Boys Scouts of America Troop 348, was awarded the rank of Eagle Scout, and

WHEREAS, Mr. Michael Spudich through his dedication and service to the Boy Scouts of America has proven by his actions that he is an asset to the community, and

WHEREAS, Mr. Michael Spudich is dedicated to service to God, country and his fellow man, and

WHEREAS, Mr. Michael Spudich is an outstanding youth and epitomizes the positive ideals so needed in today's society. He will serve as a role model to the younger scouts through his achievements.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends Mr. Michael Spudich for his years of service and dedication to the Boy Scouts of America and congratulates him on achieving the rank of Eagle Scout.

MR. RICCIARDI motioned to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Councilman Udin and
Councilwoman Valerie McDonald.

Mr. Udin:

If we could have Mrs. Thelma Lovette and her family to please come forward and friends and whoever. I'd like to ask the Mayor to please join us. Could the other family members please come forward to join us.

Ladies and gentlemen, every once and a great while, if we're very lucky, a giant comes among us. That giant isn't always a physical giant. Sometimes that giant, as in the case of Thelma Lovette, comes in the form of a tiny person, a most gentle person. Mrs. Lovette is a person who has dedicated her life to an example of selflessness and giving, that's all she does is gives. She ask nothing in return. If you try to give her something, if she can, she'll give it back to you or she'll give it to someone else. She is a person who demonstrates the best example for all of us on how to give. It is a pleasure for me to be able to present her with a resolution from the whole City of Pittsburgh as she celebrates her 80th birthday.

I also want to thank the Mayor for joining us this morning because, again, it demonstrates that even though we try to claim Mrs. Lovette for our own in the Hill District, she is much to large to be claimed by any one community. Her contribution is throughout the entire City of Pittsburgh and the presence of the Mayor demonstrates that. Thank you for coming, Tom.

I'm going to read the resolution and then I'm going to ask the Mayor to come forward to say a few words, then Valerie and then present the resolution.

MR. UDIN AND MS. MCDONALD PRESENTS:

No. 1674 WHEREAS, Thelma Williams Lovette was born and raised in the Hill District of Pittsburgh. She attended Pittsburgh Public Schools, and earned a Masters Degree in Social Work from the University of Pittsburgh, and

WHEREAS, Thelma was married to the late William J. Lovette for 35 years. They have one daughter, Thelma L. Morris, who is married to Gregory Morris, and

WHEREAS, Mrs. Lovette is a retired Social Worker from Mercy Hospital. She was a major force in the development of primary care centers, outreach centers for senior citizens, and the Healthy Living Stroke Group at the Centre Avenue YMCA, and

WHEREAS, Thelma has diligently worked in her community. Her work for young people began with her participation in the Parents Crusade to save Kindergartens in the early 1950's, and

WHEREAS, Mrs. Lovette was awarded a life membership by the Pennsylvania Congress of PTA's. She helped organize the Hill District Community Development Corporation, and served on many committees that provided the direction and support for the Pittsburgh Model Cities Program, and

WHEREAS, Political involvement has been lifelong for Mrs. Lovette and she

has been a Democratic Committeewoman for thirty five years. Also, she maintains membership in the League of Women Voters and the Federation of Democratic Women. In 1984, she served as a delegate to the Democratic National Convention, where she was a floor whip for the Pennsylvania delegation, and

WHEREAS, Mrs. Lovette's name is included in a host of organizations: The NAACP, Friends of the Hill District Carnegie Library, National Association of Social Workers, Hill District Chapter of the American Association of Retired Persons, The Pittsburgh Club of the National Association of Negro Business & Professional Women Clubs, and the University of Pittsburgh School of Social Work Alumni Association, and

WHEREAS, Mrs. Lovette has utilized her leadership skills on many Boards. She served on the Board of Trustees of the Girl Scouts of America and as a Trustee at her church, Grace Memorial Presbyterian Church. Presently, she is on the Board of Directors of the Metropolitan YMCA of Pittsburgh and the Board of Management for the Centre Avenue YMCA. She is also a member of the City of Pittsburgh's Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh congratulates Mrs. Lovette, a great citizen, on her 80th Birthday, and wishes her many years of health and prosperity.

MR. ONORATO motioned to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevails.

Mr. Murphy:

I feel like we should be singing happy birthday to you, Thelma. I want to congratulate you on your 80 years and to thank you for all the contributions you've made to the City of Pittsburgh. As a member of the Planning Commission, you sit at a critical juncture where virtually all the developments of this City pass through your scrutiny. With the wisdom of Solomon, you have shown that you can lead this City into a new era of development with development bringing a lot of opportunities, in particular, in your own beloved Hill District. We see your fingers involved there over the years and beginning to shape a whole new community of a place where people can live and shop and play. That kind of leadership doesn't come by accident, it comes because individuals like you are so committed to your neighborhood and have the wisdom to see the long view. Thank you for vision of this City.

Ms. McDonald:

I do believe great things do come in small packages. She is a dynamo. When I grow up one day I want to be just like you. She looks wonderful and she is wonderful. What I like about her is not so much her importance on the Hill and her stature there and her position and how many people she knows, but it's really what's in here. She has a good heart. I felt that immediately when I first met. I said, this woman really is sincere and it's hard to find anymore and it's not easy, but there is sincerity left. She really is just a fixture of sincerity. Again, Ms. Lovette, I wish you 80 years and I wish you more

than that as far as decades of a wonderful, quality filled life. Thank you.

Ms. Lovette:

Good morning. I am honored this morning to receive this plaque and to have so many of you present. I want to thank God for making it possible. I thank Valerie and Sala Udin for presenting my name. I ask you to continue to pray for us. Pray for me, for my family and for our City that we will continue to grow. I thank the Mayor of the City, Mayor Murphy, for being the person you are and we're with you 100 percent. Continue to work hard for the City of Pittsburgh. Thank you, each and every one of you. God bless you.

Mr. Onorato:

Thelma I want to congratulate you and welcome you here to the Chambers. Obviously, you're no stranger to these Chambers. If I can just add one thing from a personal point of view. As I concur with all the comments that were just stated about you, there's one word that didn't come up. When I think of you, this is the word I think of and that is, I haven't met any other person so far that is a spare as you are. When we debate all the issues here and you've come to the table and you're in the middle of some of the issues, I've always that you were at least willing to listen to both sides. That means a lot to me. When I testify in front of the Planning Commission, regardless of how you rule and sometimes you ruled the way I wanted and sometimes you didn't, but I always felt that you were there at least listening and you gave us a fair shake and I want to thank you for that. Keep up the good work and I wish you many more years.

Mr. Udin:

Can I ask for the representatives from the Black Extravaganza and Renaissance Publications to come forward, please.

Although this presentation is for the Trailblazers who are being honored, I'd like to take a moment to give some appreciation and acknowledgment and thanks to Connie Portus, the Publisher of Renaissance Publications. She has established in this City a tradition of identifying and acknowledging and awarding Trailblazers who make an important contribution to the development of the City in the African American community and the impact of which is felt throughout the City. Connie, thank you very much for all the hard work that you do, you and Renaissance Publications.

Although this resolution is sponsored by both Valerie McDonald and myself, Valerie is one of the awardees, so we get the chance to roast her today. What I'll do is read the resolution and then ask Valerie to comment and ask Connie to introduce the people who are in front of us today.

MR. UDIN AND MS. MCDONALD PRESENTS:

WHEREAS, on March 29, 1997, Renaissance Publications is sponsoring the 1997 Black Extravaganza & Trailblazer Awards Ceremony, and

WHEREAS, honorary Chairpersons for the event are Cecile M. Springer and Jack L. Burley with special guest entertainers Tim Stevens, Etta Cox, and LeRoy Wofford, and

WHEREAS, since 1986 Renaissance Publications has recognized African Americans who have worked tirelessly in their professions-opening doors for younger generations to follow. Those selected have made a positive impact in our community by enabling others to continue to achieve, and

WHEREAS, this year's 1997 Black Trailblazers, are recognized for their exemplary contributions within their fields. The Honorees are William E. Strickland and James F. Henry, Community Empowerment; Earl F. Hord, Economic Development; Mary L. Stone, Ph.D., Education; Rev. Loran E. Mann, Religion; Paul J. Ross and Roger L. Humphries, Sr., Music; Carrie W. Washington, Community Development; Paul W. Ingram, Health & Human Service; Gwendolyn J. Elliot, Public Service; Donald W. Richards, Corporate Achievement, Valerie A. McDonald, Board Award; and Dancing Demons, Henry Belcher, and Nahzee Taylor, Living Legends, and

WHEREAS, the recipients of the WPXI Lift Up Awards are Ronald J. Hunt, National City Bank; Shirley V. Parker, People's Natural Gas; Sherry Rusiki, Pittsburgh Pirates; Charlotte Bullock, Mellon Bank; Gregory Spencer, Equitable Resources; Donna J. Smith, PNC Bank; and Mark Lewis, Eat'n Park Restaurants, Inc., and

WHEREAS, over 75 volunteers have worked to produce the black Extravaganza. Their efforts are a testimony to the accomplishments of the awardees.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends the honorees for 1997 Black Trailblazers and WPXI Lift Up Awards, they have made tremendous contributions to the City of Pittsburgh. We also extend our appreciation to Renaissance Publications for its efforts to highlight the achievements of African-Americans within the City.

MR. ONORATO motioned to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Ms. McDonald:

I just wanted to say, no, I did not give a resolution just to get an award as some of you all may think, very cynically so. I've been involved with the Black Extravaganza, not necessarily involved but a participant on the very much so outside. The first time I actually went to a Black Extravaganza was free because I had my girl scouts with me and my coudets troop and, of course. Connie always does do that. She wants to make sure that the youth know their folks have an opportunity to experience this event. She does give out tickets as such. I don't know about now, but I know she did years ago and I took advantage of that. I noticed as we were all in our green and blue, how elegant the event was. It was the most elegant event I had been to. I said, I have to scrape up some money and really be a part of it and eat some of the food too. That's my involvement in it and I've been a participant every since.

Last year, myself and Sala Udin were honored to be able to give an award. You have a little script like an academy award thing. You read the script and I was just very tickled to do that. It's definitely an honor to actually be a recipient of an award. I just want to thank Connie and I want to congratulate all of the awardees. I feel that when I saw the slate, I'm honored just to be part of the slate of honorees here. Thank all of you and thank you Connie for commending so many people in the City of Pittsburgh and surrounding communities to give them a pat on the back for a job well done because you do your job very well done. Thank you.

Ms. Portus:

I'm just going to say a few words. Our mission at Renaissance Publications is to present the good news. The Black Extravaganza is a way of spotlighting the accomplishments and contributions of African Americans in our region. The 1997 awardees represent achieving and exceeding the high standards and expectations set for all Americans. The contributions to their companies, agencies and to the individuals that they serve prove that they live the belief that, "it takes a village to raise a child, to grow a healthy community and to give hope where there may be despair. I think all of you in here know at least high a dozen, if not all, of our honorees for this year. They have really made an impact in our community and we're so proud especially to be here on a day when one of our Stella Trailblazers, Ms. Thelma Lovette, received recognition from the Council. She is one of those Trailblazers who have laid the foundation for all of us here today.

I want to say to City Council, especially, to remember that these people

have come before you today to be recognized and understand what they bring they bring to this City. That is why I am especially proud of all of our Trailblazers this year and our lift-up awardees. These are people who have gone that extra mile, made a contribution to the City, and have made this City as great as it is today. We are about inclusion and this group makes a statement. It makes a statement that African Americans are doing their share in this City to make it a great City and we need the cooperation and support of everyone. I just want to take this opportunity to officially say to all the Trailblazers and the lift-up awardees, when I look over here and I see you and each time that we put together the photo collage of all of our honorees, I have been very, very inspired, warmed and touched by the contributions that you've made. I want to thank you for being able to do this this year. Thank you.

The Chair:

That concludes our Read and Adopted. Moving to Presentation of Papers, Councilman Cohen, Committee on Public Safety Services.

Mr. Cohen:

No papers this morning, Mr. President.

The Chair:

Thank you Councilman Cohen. Councilman Cohen for Mr. Cusick, Committee on Park, Recreation and Youth Policy.

Mr. Cohen:

Mr. President.

The Chair:

Actually, Mr. Cusick is right here.

PRESENTATIONS

MR. CUSICK PRESENTED:

No. 1676 Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania in the amount of \$12,375.00, in connection with the City of Pittsburgh's Summer Food Service Program without previous authority of law; and providing for the payment thereof.

Which was read and referred to the Committee on Parks, Recreation and Youth Policy.

MR. CUSICK moved to suspend Rule 8 by providing for consideration of the bills only until or after the calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

Also,

No. ____ Resolution declaring that a portion of Real Estate known as Solovan Field owned by the City of Pittsburgh consisting of paid playground in the 6th Ward in the City of Pittsburgh is no longer needed by the City exclusively for public playground services.

The Chair:

Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

That's why we need a Parks Director. If we don't get a Parks Director soon, we're going have a real problem in the City.

Thank you Councilman.

MR. HERTZBERG PRESENTED:

No. 1677 Resolution providing for the leasing of space located at 11th Street and Penn Avenue, Pittsburgh, PA 15222, in the Second Ward, from Greyhound Lines, Inc., owner, for the purpose of establishing a Community Oriented Police mini station, made effective March 15, 1997, and renewable annually, at no rental cost to the City.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bills only until or after the calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

Also,

No. 1678 Resolution Authorizing a Cooperation Agreement or Agreements providing for the transfer of the amount not to exceed \$150,000.00 to the City of Pittsburgh Equipment Leasing Authority

for the purchase of vehicles, radios and equipment for use by the City of Pittsburgh Departments and Authorities.

Which were read and referred to the Committee on Lands, Buildings and Procurement.

The Chair:

Councilwoman McDonald,
Committee on Housing, Economic
Development and Promotions.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTED:

No. 1679 Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Department of Housing and Urban Development, for a grant or grants in connection with Referral of Housing Discrimination Charges (and related activities), HUD/FHP Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the HUD/FHP Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; maintaining a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account.

Which was read and referred to the Committee on Housing, Economic Development and Promotion.

The Chair:

Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you Councilman.

MR. O'CONNOR PRESENTED:

No. 1680 Resolution Providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements in connection with the Wall, Step and Fence Program at various areas throughout the City and providing for the payment of the cost thereof, at a cost not to exceed \$469,518.53.

Which was read and referred to the Committee on Engineering and Construction.

The Chair:

Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

No new papers, Mr. President.

The Chair:

Thank you Councilman.
Councilman Udin for Mr. Ricciardi
Committee on Public Works, Water and
Environmental Services.

Mr. Udin:

Mr. President.

The Chair:

Thank you.

**MR. UDIN FOR MR. RICCIARDI
PRESENTED:**

No. 1681 Resolution amending Resolution No. 1018, effective January 1, 1997, entitled, "Resolution adopting and approving the 1997 Capital Budget and the 1997 Community Development Grant Program and approving the 1997 through 2002 Capital Improvement Program," by adding a line item, Windom Street, \$300,000.00, City Bond Fund, Department of Engineering and Construction.

Which was read and referred to the Committee on Finance and Budget.

MR. UDIN moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 1682 Resolution amending Resolution no. 540, effective July 31, 1996, entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of play equipment and play area safety improvements including the cost for the supervision of the

installation of the equipment for Fort Pitt School Playground, and providing for the payment of the cost thereof" by decreasing the total allocation by \$1,014.00 from \$18,000.00 to \$16,986.00

Also,

No. 1683 Resolution providing for a contract or contracts, or use of existing contracts, for street resurfacing programs such as ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling and truck rental, brick and blockstone repairs, concrete slab replacement, parks related asphalt work at various locations throughout the City of Pittsburgh, at a cost not to exceed \$800,000.00, chargeable to and payable from Account 526700, Fund 5100, Org. 400000, Sub-Class PGHPR, Project 2239000, Budget Year 1997, Citywide Resurfacing, Department of Public Works.

Also,

No. 1684 Resolution Providing for the use of \$120,000.00 in the Wall, Step, and Fence Program. Moneys is to be used for repairs and maintenance of Walls, Steps, and Fences in CD neighborhoods throughout the City. Previous moneys will be used in non-CD areas. Providing for the payment of the cost thereof.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

MR. UDIN PRESENTED:

No. 1685 Resolution providing for the issuance of a warrant in the sum of \$17,500.00 to Angel Concrete Pumping and Construction Company, Inc. c/o Kuhn, Engle & Stein, Trustee Account, 5 Gateway Center, Suite 625, Pittsburgh, PA 15222, in full and final settlement of the action filed at GD91-21095 alleging delay damages due to contract revisions during construction of the River Safety Center in 1989.

Also,

No. 1686 Resolution Authorizing the Mayor and the Director of Finance and the Director of Parks and Recreation to execute a lease with the Spring View Athletic Association for certain City of Pittsburgh and Three Taxing Bodies owned property adjacent to the Spring Hill Playground in the 26th ward.

Also,

No. 1687 Communication from Barbara Parees, Director of Personnel and Civil Service Commission, requesting approval for John Turyan, a non-city employee, to attend up to four meetings from March 1997 through December 1997 to represent the City in his capacity as Chairman of the Pittsburgh Private Industry Council and Board Member of the National Association of Private Industry Councils. The total cost of travel to these various meetings will not exceed

\$4,000.00 payable from JTPA-1, Trust Fund.

Which were read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 1688 Resolution reappointing Louis Coles as a Member of the City of Pittsburgh Magistrate Court for a term to expire December 31, 2000.

Also,

No. 1689 Resolution appointing Moira Harrington as a Member of the City of Pittsburgh Magistrate Court for a term to expire December 31, 2000.

Which were read and held pending a formal interview by Council on March 12, 1997.

The Chair:

In regards to the reappointment, I believe many of us feel strongly that both these individuals have served with distinction on the bench at City Court, both Magistrate Harrington and Mr. Coles. I would respectfully ask that we move the reappointment unless people feel strongly that we need to come back for an interview. What is the pleasure of the Body?

Mr. Onorato:

I don't feel strongly one way or the other. However, procedurally, I think it's healthy that we bring it to the table. Only because we're appointing them to a four year term, correct? This is a reappointment for a four year term?

The Chair:

Yes.

Mr. Onorato:

I'd just like talk about current issues of today and get their input on it. I'd like to have them come to the table.

The Chair:

No problem. If there's no objection, then we'll ask the Magistrates to come to the table tomorrow if they're available or next week. We'll work it out with Mr. Udin. Thank you very much.

Mr. Ricciardi is excused from the meeting. He's helping to open up a new mini-station for the COP Program with the Mayor and Knoxville Community at Knoxville Middle School on Charles Street at 11:00 a.m. He apologizes, but he needs to be excused for the meeting. The community is very excited about this. I know there's a new COP Officer, Tom Harris, who will be working the community there with the support of the neighborhood groups. I want to thank Mr. Ricciardi for his leadership in getting the COP Center together.

That concludes our Presentation of Papers. Moving to Unfinished Business or Reports of Special Committees, any matters to be brought before the Body at this time? If not, moving to Reports of Committees, beginning with the Committee on Public Works, Water and Environmental Services, Mr. Udin for Mr. Ricciardi.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

REPORTS OF COMMITTEES

MR. UDIN FOR MR. RICCIARDI PRESENTS:

Bill No. 1690

Reports of Committee for Public Works, Water and Environmental Services for February 26, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1631 Resolution amending Resolution No. 538 effective July 31, 1996, entitled, "Providing for a Contract or Contracts, or the use of existing Contracts for the purchase of play equipment, safety surface and related equipment/material for the renovation of play areas at Cliffside Parklet and Marshall/California Parklet and providing for the payment thereof", by decreasing the total allocation by \$26,066.96 from \$120,000.00 to \$99,933.04.

Also,

No. 1632 Resolution granting unto Walter R. Pierce, William W. Pierce and June C. Brown, 2234 Harbor Street, Pittsburgh, Pennsylvania 15212, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a lateral under a portion of the sidewalk on Harbor Street in the

26th Ward, 1st Council District of the City of Pittsburgh.

Also,

No. 1633 Resolution granting unto Douglas L. Guy, 114 Burrows Street, Pittsburgh, Pennsylvania 15213, his successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, a driveway on a portion of the right-of-way on Dunbar Way in the 4th Ward, 6th Council District of the City of Pittsburgh.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Udin
Mr. Hertzberg	Mr. Ferlo
Ms. McDonald	(Pres't)
Mr. O'Connor	

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

Committee on Planning, Zoning and Land Use, Councilman Onorato, Chair.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman Onorato.

MR. ONORATO PRESENTS:

Bill No. 1691

Reports of the Committee on Planning, Zoning and Land Use for February 26, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1202 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map Nos. 7 and 12, by changing from "R3" Multiple-Family Residence District and "M4" Heavy Industrial District to "RP" Residential Planned Unit Development District all that certain property bounded by Wharton Street, South 17th Street, the "RP" zoning district boundary line located north of Muriel Street between South 16th Street and South 17th Street; South 16th Street, the Conrail right-of-way identified as Lot 270 Block 3-A in the Allegheny County Lot and Block System; South 18th Street, the southerly and easterly property boundary of Lot 60 and the easterly property boundary of Lot 59 Block 12-A

in the aforesaid System; Merriman Way; the westerly property boundary of Lots 31 and 32, Block 12-E in the aforesaid System; Wharton Street; the easterly and northerly property boundary of Lot 25 and the northerly and westerly property boundary of Lot 23, Block 12-E in the aforesaid System; Wharton Street; and the easterly and northerly property boundary of Lot 9 and the northerly and westerly property boundary of Lot 8, Block 12-E in the aforesaid System; 17th Ward.

Also,

No. 1603 Resolution approving a conditional use exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to the University of Pittsburgh for authorization to construct a three-story fraternity house with nine sleeping rooms for a dental fraternity to be located at the intersection of University Drives "C" and "D" on the campus of the University of Pittsburgh, with parking to accommodate three automobiles, on property zoned "I-C" Institutional Civic District, 4th Ward.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen

Mr. Onorato

Mr. Cusick
Mr. Hertzberg
Ms. McDonald
Mr. O'Connor

Mr. Udin
Mr. Ferlo
(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes, have been approved finally.

Committee on Housing, Economic Development and Promotion, Councilman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTS:

Bill No. 1692

Reports of Committee on Housing, Economic Development and Promotion for February 26, 1997 transmitting sundry resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

No. 1172 Resolution approving execution of a Contract or Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Signature Homes Inc. for

the sale of Parcels D, B and C of the South Side Riverfront Housing site in the Seventeenth Ward of the City of Pittsburgh, South 16th Street, South 17th Street, South 18th Street, Merriman Way and Wharton Street, Council District No. 3.

Also,

Resolution amending Resolution No. 336, effective May 17, 1996, as amended by Resolution No. 518, effective July 22, 1996, entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$117,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning" so as to change the name of one funding group.

Also,

No. 1628 Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or minor rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$128,250.00.

Also,

No. 1634 Resolution amending Resolution No. 29, effective February 7, 1997, entitled, "Providing for the filing of

a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1997 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances, providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories", so as to adjust several line items in City Council.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Udin
Mr. Hertzberg	Mr. Ferlo
Ms. McDonald	(Pres't)
Mr. O'Connor	

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes, have been approved finally.

That concludes our Reports of Committees. Are there any other matters under Motions and Resolutions?

We do have a public hearing today, later this evening at 6:30 here in Council Chambers regarding Mr. Cusick's request on the development master plan for Route 51. Mr. Cusick, did you want to speak to that?

Mr. Cusick:

Yes, I want to invite all and encourage all of my colleagues that can make it to the public hearing that they do so. It's a very important issue for all of South Pittsburgh to not only talk about and plan for the future of 51 Saw Mill Run Corridor in the economic development, but to talk about some of the future construction that Penn Dot in the state have planned for South Pittsburgh. I think it's very vital that this discussion goes on now at a time that so much is happening not only in the inner-city but in South Pittsburgh for that fact in regards to construction. I would encourage everyone to try to attend. Those in the neighborhood and in the community that would like to participate, please feel free to come down. We'll try to accommodate some time or set some time aside so that you, too, can have some input.

The Chair:

Again, thank you. This evening, that public hearing is at 6:30 here in Council Chambers on Route 51 Development Agenda. If you want to speak at the public hearing, you can call

the City Clerk at 255-2138 in addition to the guests that Mr. Cusick has invited.

Any other discussion? Any other matter under Motions and Resolutions.

Hearing none, motion to approve the previous minutes and a motion to adjourn.

MR. HERTZBERG motioned to approve the previous minutes and adjourn this legislative session.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

This legislative session stands adjourned.

Stenotype Reporter:

Transcribed by: Lenora Johnson

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXI

March 11, 1997

No. 10

Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, March 11, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

The Chair:

Good morning everyone. We have a number of honored guests in the audience this morning and we'll bring them up shortly.

At this time, we you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased to have two young students here today. Ashley Losh,

she's 6 years old and she's in kindergarten. Her parents, Terry and Toni are here. These are both students from Most Holy Name School in Councilman Dan Onorato's District. Marty Marinack is here, he's 10 years old and he's in the 5th grade. His parents Kim and Marty are here also. I think I say some other proud family members here, too, maybe Grandparents. We're very pleased that Ashley and Marty are going to lead us in the Pledge of Allegiance.

Ashley Kosh and Marty Marinack:

I pledge allegiance to the flag of the United States of American and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. We want to thank Ashley and Marty for coming down here today with this great family delegation that they have and thank Most Holy Name School, also. Our City Clerk has presented these students with a flag of our great Nation and a flag of our City. Thank you all for your participation this morning.

We have a number of guests in the audience this morning, proudly. We have St. Patrick's Day coming up shortly. At this time, I'd like to call on Councilman Bob O'Connor and Councilman Cohen.

Mr. O'Connor:

Will Kevin Donough and Parade Committee please come up. We're honored to have the Parade Committee here and looks like a very excited Parade. We fixed the weather for you. We said a few prayers and it's going to be a great day and I know everyone's coming out. This is sponsored by all members of Council and I look forward to everyone of you joining us at the Parade.

MR. O'CONNOR AND MR. COHEN PRESENTS:

No. 1693 WHEREAS, Pittsburgh's annual St. Patrick's Day Parade, sponsored by the Irish Society for Education and Charity, Inc., will be held on Saturday, March 15, 1997, and

WHEREAS, the St. Patrick's Day Parade, first held in 1869, has grown in size and splendor since 1950. The parade now boasts of thousands of enthusiastic Irish marchers and draws tens of thousands of spectators to downtown Pittsburgh becoming the oldest and the largest parade in the City of Pittsburgh, and the second largest St. Patrick's Day Parade in the country, and

WHEREAS, the magnificent St. Patrick's Day Parade will feature thirty marching bands, forty specialty acts, traditional Irish costumes and twenty floats, and

WHEREAS, the parade will begin at 10:00 am at the Civic Arena, led by this years Gran Marshall, James L. Caldwell, and including "Miss Smiling Irish Eyes", Grianne McClorey, and her court, Erin Denham and Colleen Jagielski.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby commend all of the organizers of and participants in the annual St. Patrick's Day Parade, and in the spirit of Pittsburgh's Irish community, does hereby declare the week of March 15 to March 22, 1997, to be "St. Patrick's Week" in the City of Pittsburgh.

MR. HERTZBERG motioned to adopted the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I'd like Kevin Donough who is the Chairman of the St. Patrick Day Parade to come up and say a few words and introduce every. Thanks for all your hard work.

Mr. Donough:

Good morning, again. Another year is around. It's always a joy to come down here to City Council and be honored by Council. I just would like to give my greetings to Councilman President Ferlo and the rest of Council here. What we're looking for this year is another outstanding parade. This year we expect it to be the largest ever. You probably heard this before, but in the past 7 years, this parade has went from about 2 hours and 15 minutes upto this year, hopefully, around 4 hours. We have over 30 bands participating in the parade this year. At least 212 marching units. We're looking forward to the whole community to come out and enjoy it. It's not only for the honor of St. Patrick and the Irish heritage,

but it's a day that we want everybody to enjoy. This week we have a Greek Contingent in and we also have an Italian Contingent in. We're opened for anyone in the community that would like to participate. I'd like to also thank the St. Patrick Day's Parade Committee and the members that are here with me today and also the ones who we're able to make it due to other commitments, such as work. I'll start with my left and go down. I have John Mackovoid, he's the Parade Secretary. Next to him is Jack Goodwrench, Parade Solicitor. He's also a campaign manager for Marty, Madick in Register Will. Mrs. Lorraine Colwell, she's also on the Parade Committee. The lovely wife of our Gran Marshall. Behind is Ross Fullen, he's chairman of our Car Committee. He's the fellow that gets the 35 to 40 cars a year into the parade. The man that puts it all together that day, Jim Flanagan our Organizer.

I would like to introduce to you our Gran Marshall of the Parade, Jim Caldwell. Before he comes up, I'd just like to mention a few things about him. Not only is he active in the St. Patrick's Day Parade every year raising the bands and the money for those bands, he's the Irish Pasco Chairman of the Irish American Unity Conference, he's a member of the AOH Division One, South Hills; he's a member of the Knights of Equity; he's Chairman of the Band Committee; and his lovely daughter Erin was in Miss Smiling Irish Eyes contestant last year. I'm going to ask Jim to come up and say a few words please.

Mr. Caldwell:

Thank you very much and I'm going to have a great time being Gran

Marshall. I just wanted to say that this parade is the St. Patrick's Day Parade, I think you'd know that by now. But, this is a community parade. We have bands of all different descriptions and sizes, large and small. This is the largest marching parade this City ever sees. There are about over 30 thousand people in that parade. We welcome all the various nationalities and all the various persuasions. The reason is because this parade is an American parade. One of the reasons the Irish marched, it started in 1869, is because of the extreme exuberant of freedom that they had in the United States. The theme of our parade this year is the 150th Anniversary of the Famine. The Famine is sort of misnamed, it should be the starvation. Without going into a lot of details, the potato was struck all over Europe in Germany and Russia and all over Europe. The only people who starved were those in Ireland because the grain and the meat was taken out for rent. And, that rent was to be paid to a foreign power as tribute and that foreign power came in and stole that land. To stay that this was a famine and these poor people had nothing to grow potatoes was wrong, they had oaks and barley enough to more than feed all the people of Ireland. It was a starvation. I have a handout if anybody would like further information on that, I'll supply it after we're finished. A Professor from Notre Dame, Professor Rice, and a clipping from the Irish Times recently which gives you an idea of some of the extent of that kind of starvation. That's important to us because these people, although they did come over when Washington fought for the revolution, they came over in droves and died on Coffin Ships after the Famine of 1845 - 1850. When they came and got enough to eat, they were so glad they had a parade and

they've been celebrating every since. We have also, as Irish people and Irish Americans, have been the forefront of a great many of the fights for Civil Rights and for Equality. That's very much a part of our parade and always has been. So, we hope you all come in and enjoy it. The City has gone out more than ever to make this entire City a festive weekend. There's a paper here that just came out yesterday that shows all the festivities that are downtown. We are exuberant about enjoying our time and having all the people that we could possibly have to come downtown and enjoy the celebration with us. I'm going to have a ball. Thank you.

Mr. Cusick:

I just want to thank everyone here today for putting together what has become of American's greatest parades. I want to thank the AOH for their kickoff communion breakfast the other day, it was an outstanding event and I was honored to be there to share in the festivities. I think we're all looking forward to some great weather and a great day. Jim a lot of hard work throughout the years that you've given to all of Pittsburgh and, especially, to the Irish community has finally paid off and rightly so. You should feel very honored. We are also honored to have you and your dedication to the Irish community. Thank you for that.

I hope that everyone will get a chance to come down to the parade. It's a festivity that no one should miss. It's quite an event. I'd like to recognize that we have Jim Lamb one of the Irish voices in Pittsburgh. His father was a former Senator and his brother is a Deputy

_____ of Allegheny County.
We thank you for coming today Jim.

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. I just want to take a moment and congratulate the entire committee. The St. Patrick's Day Parade is such an exciting event. It's a Pittsburgh festival. I was honored to be at the breakfast on Sunday and look forward to participating in the parade this week. Congratulations.

The Chair:

Councilman Cohen and Councilman O'Connor, I believe you have some guests here.

Mr. Cohen:

We have one to be read into the record, please.

The Chair:

Councilman Cohen has one to be read into the record and Councilman Cohen and Councilman O'Connor together I believe have a guests here.

MR. COHEN AND MR. O'CONNOR PRESENTS:

No. 1694 WHEREAS, in 1967 a monument was placed at the parklet at Forbes, Dallas and Beechwood Boulevard in Point Breeze by the American Legion Post 577 of Squirrel Hill, and

WHEREAS, this monument has stood for the past thirty years as a symbol of the dedication and in honor of the many veterans who have served our country, and

WHEREAS, every two months a new flag is proudly placed on the site by volunteers from Post 577, and

WHEREAS, the parklet serves the neighborhoods of Squirrel Hill, Point Breeze and Frick Park, and

WHEREAS, the parklet sits at the beginning of the Great Race which people from all over the country and all over the world come to participate, and

WHEREAS, the only thing missing from the parklet is a proper and deserving name.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recommend, and support the efforts of American Legion Post 577, that the parklet at Forbes, Dallas and Beechwood Boulevard be named in honor of all veterans who have served our country.

MR. CUSICK motioned to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. O'Connor:

We have Andresar Canie from Hillel Academy is the Director of Development. Hillel is very special to me, my niece and nephew graduated from

there. My niece, Mia, is in Israel now. If you read the Chronicle last week, my nephew, Sanei, is leading in delegation. We're very proud with the work you've done with them and all the students there. It's an outstanding school. I'll read the proclamation to you.

MR. COHEN AND MR. O'CONNOR PRESENTS:

No. 1695 WHEREAS, the Hillel Academy of Pittsburgh has provided quality education and service to the Pittsburgh Jewish Community for a half century, and

WHEREAS, the Hillel Academy of Pittsburgh now enrolls over four hundred students at two campuses where they provide excellence in both general studies program and Torah education, and

WHEREAS, on Sunday, March 16, the Hillel Academy will celebrate its Fiftieth anniversary at the Annual Dinner where they will also honor Chantze and Donald Butler for their over fifty years of leadership and commitment to the Hillel Academy of Pittsburgh and the Jewish Community.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate and commend the Hillel Academy of Pittsburgh for fifty years of dedication and commitment to making a difference in the Pittsburgh Jewish Community, and Chantze and Donald Butler for unparalleled service to the Hillel Academy and the community.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh

declares Sunday, March 16, 1997, to be "Hillel Academy Day" and "Chantze and Donald Butler Day" in the City of Pittsburgh.

MR. UDIN motioned to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. _____:

First of all, in behalf of Donald and Chantze Butler and Hillel Academy, I would like to thank the Council for awarding us this proclamation. It is a very special year. Fifty years is a long time to establish a private institution which provides tremendous education. We have our quality graduates. One of our graduates is the Dean of Harvard University, another one is the member of Selbone in Paris, there are wonderful physicians, and lawyers, and business people in the Pittsburgh community. Even though I've only been a resident of Pittsburgh for six months, I'm very proud to be here and accept this. This celebration on Sunday will be very, very special. Our guest speaker is the U.S. Ambassador of the United Nation. We are looking forward to hearing his address. Anyone who would like to make reservations is welcome to call the school anytime during this week. Thank you very much. The school phone number 521-8131.

Mr. Cohen:

I wanted to make sure you got that telephone number in there so people could call. Hillel has a place in my heart

because my Grandfather was very involved in Hillel and worked closely with many of the people who founded it. I just want to congratulate Bob O'Connor for presenting this proclamation with me and also Hillel Academy for 50 wonderful years. I hope you have many, many more years of scholarship and education. I look forward to the dinner. My understanding is that is one of the first, if not the first, speech that the new Ambassador to the United Nations is going to be making in the City. I think Pittsburgh is his first stop. So, U.S. Ambassador Richardson and the Ambassador of the United Nations will be there and it should be a wonderful event. Congratulations.

The Chair:

Councilman Onorato and all members.

Mr. Onorato:

At this time, if I could have Mr. Dan McCarthy, the Assistant Athletic Director of Duquesne University come forward, please. Dan's here representing Brian Kolarie, the Athletic Director. As everyone knows, this is NCAA Week in the City of Pittsburgh and the national spotlight will be on the City for the first time in this particular tournament. We want to congratulate Duquesne University for being the host.

MR. ONORATO PRESENTS:

No. 1696 WHEREAS, March Madness is coming to Pittsburgh, and

WHEREAS, Duquesne University is hosting the Eastern Region's First and

Second Rounds of the NCAA Tournament March 14th and 16th at the Pittsburgh Civic Arena, and

WHEREAS, this is the first time in the NCAA Tournament's 59 year history that any round has been played in Pittsburgh, and

WHEREAS, Pittsburgh was the second overall site to sell out this year. The tournament is expected to draw approximately 51,000 people, and

WHEREAS, approximately 17,000 people, about 8,000 of whom will be out-of-towners, will pack into the Civic Arena for games on Friday and Sunday, and

WHEREAS, individuals who could not get tickets to the sold out tournament are welcome to a free practice which will be held on Thursday, March 13th at noon, and

WHEREAS, Pittsburgh will be in the national spotlight during the NCAA Tournament's first and second rounds, with exposure from over 150 media outlets.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate Duquesne University for hosting the first ever visit of the NCAA Tournament to the City.

BE IT FURTHER RESOLVED that Council welcomes all those responsible for making the NCAA Tournament in Pittsburgh a reality and extends its best wishes for a successful event.

MR. CUSICK motioned to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Onorato:

Dan if you could just pass along to Duquesne that we do congratulate them and wish them well. We thank them for putting the spotlight on the City of Pittsburgh.

Mr. McCarthy:

On behalf of Brian Kolarie who couldn't make it here today as his appearances were announced on Sunday. He's been totally swamped with meetings and dealing with the media and dealing with the eight teams that are coming to Pittsburgh. He really wanted to be here and be recognized and he deeply appreciates everything. I just want to thank the City, the County, the Convention and Visitors Bureau, Abby Nassa from the Federation for Events and Promotion, and especially the Civic Arena. Like I said, being a Pittsburgher myself, we're very proud to have the NCAA Tournament here and we're working very hard to make it a tremendous success.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I'd just like to congratulate you and Brian. I know, as an Auditorium Authority Member, for four or five years

we have been working with this and Duquesne really pulled it off. I think this is a tremendous -- if you've ever been to a final four, if it's half as good as a final four, it's one of the most exciting sporting events in the country. Hopefully, this is the first step and maybe we'll bring a final four someday. You've done an outstanding job and especially Duquesne University. I commend you for it.

The Chair:

I think, once again, this City Council continues to applaud the leadership of Duquesne University on all kinds of different fronts including the moderation and upgrading of the campus. Once again, I think we need to applaud, collectively as a City, the leadership of Duquesne University. This has been a long fight. The first time I've ever heard about this was five years ago with Councilman Rikken coming to me and saying we'd better start lobbying for this thing now. I think all of us collectively want to applaud the leadership of all the folks that worked so hard on this. Just like St. Patrick's Days, I think we need to really put all our best feet forward and really welcome all the visitors and really show them what a great town we have and welcome everybody with open arms. Thank you very much.

Mr. Onorato:

Next if I could have the children of the Most Holy Name School come forward, Jessica Campbell, Marty Marinack, Crystal Leskowak and Ashley Laush. I just want to point out that Sister Cauletta, the Principal of Most Holy Name, could not make it down here today because of other activities in the building.

However, we have their parents here and other chaperons in the audience. The children are going to do it themselves today up here. I'm going to read the proclamation and we're going to here from them.

MR. ONORATO PRESENTS:

No. 1697 WHEREAS, during Catholic Schools Week, Most Holy Name School conducted an essay contest on "What Most Holy Name School Means to Me", and

WHEREAS, the third grade winner of the essay contest is Jessica Campbell, the fifth grade winner is Marty Marinack and the eighth grade winner is Crystal Leskowak, and

WHEREAS, the winner of the kindergarten picture contest was Ashley Laush, and

WHEREAS, all of the essays that were entered were sent to the PTG Board members and were judged to be the winners.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate and commend the winners of the Most Holy Name essay contest and encourages them to continue to strive to do their best in each of their endeavors.

MR. O'CONNOR motioned to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Onorato:

We're going to start first with Ashley. We going to show everybody what you did to win your award. Do you want to say hi to your classmates?

Ashley Laush:

Hi.

Mr. Onorato:

She won the kindergarten award. Let's here Jessica. Why don't you read what was the winning essay.

Jessica Campbell:

This is what I like most about Most Holy Name School. I like the teachers, they are nice, they are friendly. I like Sister Cauletta. I like her because she is a good Principal. I like the lunch ladies because they are nice people. Our school is a respectful school where there is no fighting. All of us are friends in our Catholic School. We are all a child of God.

Mr. Onorato:

Next Marty Marinack. Marty do you want to read yours?

Marty Marinack:

I've been going to Most Holy Name for six years. I have a lot of things I like about Most Holy Name. In the paragraphs below, you'll see what I like about Most Holy Name. I like the teachers and the students. The teachers are always willing to help as much as they can. They are always friendly. If you walk by them

in the hall, you can be sure that almost always they will say hi. The students are always friendly and helpful. If you drop something, they'll help you pick it up. I like how we help the community, like Stash the Trash when we pick up garbage. Cleaning the community is one of the good things we do. I like the school activities in groups. I like them because it is something the kids can get involved in. Crier is a group we formed. That is an example of one of the groups here at Most Holy Name. I like how we have special Masses during the week, like when fifth and sixth grades go to church together. I like it because Father Short can talk right to us. On Sunday, he has to talk to everybody. We also get to share our prayers out loud so everyone can pray for that intention. The teachers here educate us very well. They don't always teach out of a book though, like when we played spelling basketball with Mr. Jellineck. I like it when we do fun things like that. I feel very fortunate to go to a school like this. Some kids don't get to learn about God in their public schools. Some kids in other countries don't even get to go to school, so I feel I am a very lucky child. Most Holy Name is also a school of love and understanding. Here you will hardly ever find a sad student. The teachers will never say, I don't care. This school is a great place to be. Sister Cauletta is a great Principal and everyone likes her a lot. I also like the basketball teams. Playing basketball is a great way to learn teamwork. There is a boys team and a girls team. I like how kids who are in a bunch of different grades can join. This school has been well loved by God, we praise him very well here.

Mr. Onorato:

Finally, we are going to here from Crystal Leskowak.

Crystal Leskowak:

I believe I receive a better education at Most Holy Name because it is a Catholic School. I learn about God. Most Holy Name has a good environment where we can learn a lot together. I feel that this school will help us all to be better people in life. As we learn the way of the Lord, we make new friends. We learn to stay with God in our hearts. We work each day as hard as we can to succeed in life. As we start we each day in the eyes of the Lord, we work with each other with open arms. In our hearts, we hold each other. As our teachers mean the world to us, they show us each day the ways of the world. We owe them our lives because without them we would not know we would not know what we know today. In Most Holy Name, we are all as one. As we love each other, the days we are here. But, all this must come to an end. We will take all our knowledge with us. We will show others how to love life to the fullest like me and you. We will remember all the teachers and all our friends and all they have done for us.

The Chair:

Thank you all and congratulations. We also want to thank the family members and the proud parents who came down here today and the school representatives. Thank you very much for having a great school.

I believe that concludes our Read and Adopted. Are there any other Proclamations or Read or Adopted proposals at this point.

At this time, we'll move onto Presentation of Papers. Committee on Public Safety Services, Councilman Cohen.

Mr. Cohen:

No papers this morning, Mr. President.

The Chair:

Thank you Councilman Cohen. Councilman Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Cusick:

Mr. President.

The Chair:

Thank you Councilman Cusick.

PRESENTATIONS

MR. CUSICK PRESENTED:

No. 1698 Resolution providing for an Agreement or Agreements with Brasher Association in the amount of \$10,000.00 and with Western Pennsylvania Conservancy in the amount of \$20,000.00 for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, chargeable to and payable from Misc. Services, Account 566100, Fund 1000, Organization 500000, Subclass 300, Budget Year 1997, Department of Parks and Recreation.

Also,

No. 1699 Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$90,750.00, chargeable to and payable from Miscellaneous Services, Index 180505; Account 566100; Fund 1000; Organization 500000; Subclass 300; Year 1997, in the Department of Parks and Recreation.

Which were read and referred to the Committee on Parks, Recreation and Youth Policy.

The Chair:

Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman.

MR. HERTZBERG PRESENTED:

No. 1700 Resolution amending Resolution No. 415, effective June 17, 1996, by providing for payment of the cost thereof by increasing the total cost from \$20,000.00 to \$40,000.00, chargeable to and payable from the Community Communications Trust Fund (CCTF), Index Code 250555, Fund 2815, Org.

124000, Account 526125, Department of General Services, Bureau of Cable Communications.

Which was read and referred to the Committee on Lands, Buildings and Procurement.

The Chair:

Councilwoman McDonald,
Committee on Housing, Economic
Development and Promotion.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTED:

No. 1701 Resolution authorizing the Mayor and the Director of the Department of City Planning, on behalf of the City of Pittsburgh, to enter into a Cooperation Agreement with the Housing Authority of the City of Pittsburgh, in a form approved by the city solicitor, for renovation and maintenance of playgrounds or for renovation of structures, or for any combination of the foregoing activities in connection with the 1994 Community Development Block Grant Program, at a cost not to exceed \$1,122,000.00, chargeable to and payable from the 1994 Community Development Block Grant Trust Fund, Account 500000-2610-810000-C1994-2241002-1997.

Which was read and referred to the Committee on Housing, Economic Development and Promotion.

The Chair:

Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

No papers, Mr. President.

The Chair:

Thank you Councilman O'Connor. Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman Onorato.

MR. ONORATO PRESENTED:

No. 1702 Resolution authorizing and directing the City Solicitor to file claims against an individual or the legal guardian for a juvenile convicted of graffiti in the City of Pittsburgh.

Which was read and referred to the Committee on Public Safety Service.

MR. ONORATO motioned to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday and the City can collect their money.

MR. COHEN seconded the motion.

Which motion prevailed.

Also,

No. 1703 Resolution Amending Resolution No. 417 of 1994, entitled, "Which is providing for the acquisition from CSX Transportation, Inc., of certain property located in the 6th and 9th Wards of the City of Pittsburgh for park purposes and providing for the payment of the cost thereof", to also provide for initial park development activities at the site which has been acquired from CSX as well as professional services that will advance riverfront park and trail development through the exploration of alternative funding strategies and design solutions.

The Chair:

Councilman Udin for Councilman Ricciardi, Committee on Public Works, Water and Environmental Services.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

MR. UDIN FOR MR. RICCIARDI PRESENTED:

No. 1704 Resolution authorizing the issuance of a warrant in favor of Sergeant Electric in the amount of \$11,472.00 for the system analysis and preventative maintenance of the electrical service at Point Park relating to the January, 1996 flood without previous authority of law and providing for the payment thereof.

Which was read and referred to the Committee on Finance and Budget.

Also,

No. 1705 Resolution Amending Section 1 of Resolution No. 599, approved August 6, 1996, effective August 13 1996, entitled "Granting unto the William Lester, 1701 Suburban Avenue, Pittsburgh, Pennsylvania 15216, his successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, an off-street parking area and fence on a portion of the right-of-way of Milo Street" in the 19th Ward, 4th Council District of the City of Pittsburgh by changing the parking area encroachment from 25 feet to 15 feet.

Also,

No. 1706 Resolution Granting unto Pittsburgh Board of Public Education, Central Food Kitchen, South 13th Street at Fieger Street, Pittsburgh, Pennsylvania 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, various encroachments in the right-of-way of South 12th Street below Fieger Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Also,

No. 1707 Resolution Granting unto Maria Baronowski, 429 Arlington Avenue, Pittsburgh, Pennsylvania 15203, her successors and assigns, an encroachment to construct, maintain and use at her own cost and expense, a wood deck over an existing concrete porch on

Lauer Way in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Also,

No. 1708 Resolution Granting unto Pittsburgh Film-Makers, 477 Melwood Avenue, Pittsburgh, Pennsylvania 15213, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, installation of support poles for awnings on a portion of the right-of-way at 477 Melwood Avenue in the 5th Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 1709 Resolution Vacating a portion of Mulberry Way between 13th Street and 14th Street in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 1710 Resolution Vacating a portion of Quinton Street between Fairview Street and Quaker Way in the 20th Ward, 2nd Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

The Chair:

Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

MR. UDIN PRESENTED:

No. 1711 Resolution providing for the issuance of a \$11,640.65 warrant in favor of David R. Lovejoy in settlement of claim for sewer line damage due to City tree roots.

Also,

No. 1712 Resolution authorizing the Mayor and the Director of the Department of Personnel & Civil Service Commission, on behalf of the City of Pittsburgh to enter into an Agreement or Agreements, in form approved by the City Solicitor, with the medical facility or facilities for professional services in connection with the administration and evaluation of federally mandated and bargaining unit specified employee and applicant drug testing and for payment of the cost thereof. Said Agreement or Agreements, at a cost not to exceed \$20,000.00, and are chargeable and payable from Code Account #1100, (110007), Miscellaneous Services, Account #526150, Fund 1000, Sub Class 150, Organization 109000, Department of Personnel and Civil Service Commission.

Which were read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 1713 Resolution providing for a warrant in favor of Lexis-Nexis in the amount of \$1,167.44 in payment for computer user research services for City Council, chargeable to and payable from

Code Account 1001-1, Account 525500, Budget Year 1997.

Which was read and referred to the Committee on Finance and Budget.

MR. FERLO moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday so we can pay this bill in a timely fashion.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

That concludes our Presentation of Papers. Moving to Unfinished Business or Reports of Special Committees, is there any matter to be brought before the Body?

Under Unfinished Business, at the request of colleagues, the two Mayoral appointees for City Magistrates, reappointments will be here tomorrow apparently at the beginning of the Standing Committee Meeting. That's Lou Coles and Loran Herrington. They'll be here tomorrow at the beginning of the meeting for colleagues who have comments or questions or concerns. Councilman Ricciardi.

Mr. Ricciardi:

Thank you Mr. President. Colleagues under Unfinished Business, I recall several weeks ago, we passed two resolutions supported by this Body. Number one was requesting from the Administration the federal justice report

regarding police issues here in the City of Pittsburgh. The second one was that we ask the Solicitor if there was a need for this Body to sign off on any agreement between the City of Pittsburgh, the Administration, our Police Department and the Justice Department. Linda have we received any response to the two?

Ms. Johnson-Wasler:

No, sir.

The Chair:

Just to clarify that point. The last memo I received, I believe, and I believe Council was cc'd, was a note from the Solicitor informing us that she needed more time to formally write up an opinion and respond specifically to whether or not Council needs to be involved in the approval or disapproval of the so-called Consent Decree. That was, I think, two days ago.

Mr. Ricciardi:

Mr. President, time is of the essence because if I'm not mistaken there's a public hearing in federal court, I believe, March 17th. So, time is of the essence. We need to have that report at least the Friday beforehand because I have some grave concerns regarding how the Consent Decree reads presently. If that issue is going to come before this Body, I think we need much time for deliberations and in order to formulate our positions. Thank you.

The Chair:

Thank you. I would ask once again on behalf of the Body that we

communicate directly to Solicitor Morrel and impress upon her the need and urgency of the opinion regarding the issue of the Consent Decree and Council's direct involvement. Obviously, any number of us have opinions about the issue. Four of us have chosen to sign a letter to Judge Sindres regarding the issue and certainly that is the prerogative of each and every individual colleagues has the ability to do. But, the Councilman is right. We do need his formal opinion so we can respond as a Legislative Body.

Mr. Ricciardi:

Thank you Mr. President.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

Can I just verify for the facts, sir. When you wrote to the judge, what were you requesting?

The Chair:

Councilman Udin, myself, Councilman Cohen, and Councilwoman Valerie McDonald co-authored a letter solely as our individual right as elected Councilmembers. I think we gave all of Council a copy of that. Basically, we've expressed concern regarding the Consent Decree. Obviously, speaking in favor of the reasonableness of the reforms that are outlined in the Consent Decree. We also asked that the judge give consideration to the aspect of civilian oversight which is, obviously, being debated in the public and is potentially a referendum question as we hope on May 20th. That was an individual

action that we took. Again, we've asked the Solicitor to comment on the request of Councilman Ricciardi. We've stated that clarifying what Council's role, if any, would be in either approving or disapproving a so-called Consent Decree. As well, we've sent a letter to the Justice Department asking for a copy of whatever this document is that lead the Justice Department to conclude and to, basically, move towards the Consent Decree.

Mr. O'Connor:

Have you had a response yet to either one?

The Chair:

No, we have not. I have not and I don't believe the City Clerk nor other Councilmembers have.

Mr. O'Connor:

Because there's a lot of concerns on both sides of the issue. I think everyone would want to make sure the right thing comes out of this so far. Not knowing is very harmful to, not only the police, but the residents of the City and I think to the elected Body. So, I would ask urge them to please get on with this so we know what's going on.

The Chair:

Thank you very much. Any other comments on this point or other points?

Moving to Reports of Committee, beginning with the Committee on Finance and the Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

As a follow-up, I think it's also unclear at this point, exactly what does the Judge mean by a public hearing which has been referred to. I'm attempting to clarify that because when we think of a public hearing it's one thing. As you Attorneys know, a hearing is a different matter before a federal judge in terms of people that are formally intervened in the matter. So, to the extent that we find something out formally on that, we will notify all of Council.

Mr. O'Connor:

Does everyone know what's available in higher courts or what the procedures may be. Again, no matter who's what, I think we all want the right thing. But, I'd like to, at least, know all the options so we don't read in the paper what's going on.

The Chair:

We're hoping that the Solicitor help clarify some of those procedural points.

Mr. Ricciardi:

Not to sound skeptical but, is our Solicitor "really working on this"? This is such an urgent matter and we've given this to that department, I believe, two or three weeks ago. I believe that we need a response as soon as possible in this Body so we know how we can either act or react

to be more proactive Mr. President. So, if you, personally, maybe can visit that Department today, I would deeply appreciate it.

The Chair:

Well, I'd like everybody on Council to do that in addition to reinforcing my request. I have a long history with Solicitors previous to these two Solicitors. Usually when it takes a long time to respond, it's usually because they have to try to find a creative way to refute what I think is the obvious and that is, Council legally really does have the right to be involved in the Consent Decree. Now, that's just my own subjective view. Whatever the issue is, I just hope that she's doing her diligence in an appropriate manner and will respond expeditiously to Council obviously before any notion of the hearing before Judge Sindres. If my colleagues could join me individually in the communication to the Solicitor, it would be helpful. Thank you.

Councilman Udin is on the Committee of Finance and the Budget in Reports of Final Action.

REPORTS OF COMMITTEES

MR. UDIN PRESENTS:

Bill No. 1714

Reports of Committee on Finance and the Budget for March 5, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1660 Resolution providing for an Agreement with KPMG Peat Marwick LLP for professional services for the City Controller in connection with the 1996 Caffer, in an amount not to exceed \$8,000.00.

Also,

No. 1662 Resolution amending Resolution No. 880, Item F, effective November 19, 1996, which authorizes the sale of a vacant lot, located at 108-1/2 Wabash Avenue, 20th Ward, Block 19 M, Lot 62, to Michael R. Locke and Lucille P. Locke, his wife, for the sum of \$350.00, so as to correct the lot size.

Also,

No. 1663 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh City Source Associates Sideyard Program.

Also,

No. 1664 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 1665 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties

acquired at tax sales in accordance with Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 1666 Resolution providing for the issuance of a warrant in favor of American Legal Publishing Corporation, 12th Floor, 432 Walnut Street, Cincinnati, OH 45202, in payment for professional services for the Pittsburgh City Code, at a cost not to exceed \$1,995.00, chargeable to and payable from the Pittsburgh Code Trust Fund.

Also,

No. 1681 Resolution amending Resolution No. 1018, effective January 1, 1997, entitled, "Resolution adopting and approving the 1997 Capital Budget and the 1997 Community Develop Block Grant Program and approving the 1997 through 2002 Capital Improvement Program", by adding a line item Windom Street, in the amount of \$300,000.00, City Bond Fund, Department of Engineering and Construction.

The Chair:

You've heard the reading and titles of the bills, is there any discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

All of the bills having received the legally required number of votes have been approved finally.

Committee on Planning, Zoning and Land Use, Councilman Onorato.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman Onorato.

MR. ONORATO PRESENTS:

Bill No. 1715

Reports of the Committee on Planning, Zoning and Land Use for March 5, 1997 transmitting sundry resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

No. 1243 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by providing under Section 903.02(r) a definition for "Radio or

television transmission or receiving tower" and by providing under Section 903.02(a) a definition for (b) "Minor antenna", by revising Administrator Exception No. 993.01(b)A(30) to allow such towers no more than 100 feet in height in M1, M2, M3, and M4 Districts, (c) by inserting a conditional use exception for such towers over 200 feet in height in all district and (d) by inserting a special exception for such towers between 100 and 200 feet in height in M1, M2, M3, and M4 District and less than 201 feet in any other District..

Also,

No. 1542 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing from "R2" Two-Family Residence District to "C1" Neighborhood Retail District all that certain property bounded by Virginia Avenue, Maple Terrace, Lots Numbered 116, 98, 100 and 101 Block 4-F in the Allegheny Country Lot and Block System, Kearsarge Street and Gract Street, 19th Ward.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Councilman Onorato.

MR. ONORATO motioned to recommit Bill 1243, the Tower Bill, so that the amendments can be reviewed and debated tomorrow.

MR. RICCIARDI seconded the bills.

Which was prevailed.

The Chair:

Any other discussion on the remaining? Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. Bill No. 1542, I'd like my comments brought forward from last Wednesday. This is the rezoning of Virginia Avenue. There was a public hearing held and a presentation made. Essentially, the proposal is to place a Rite-Aid where there are now seven residential structures. The whole area, currently, probably has more commercial than residential development right now or at least it's very close. So, we're not looking at an area that purely residential and changing it to commercial. It's really kind of mixed up and maybe a little bit more commercial than residential. The street is a very wide street. It has an extensive amount of vehicular traffic traveling up and down it. So, it's a street that should accommodate some commercial zoning. It's more appropriate, I think, for that. There's actually been neighborhood surveys conducted in which the residents have indicated the need for some retail businesses, some new retail businesses to serve them.

At the public hearing, we probably saw much more support than we saw opposition to this rezoning. In fact, although there were people close to the rezoning that opposed it, the closest person of all to the rezoning his property actually adjoins most of the property to be rezoned is very much in favor and is welcoming the change here with the hope that the seven structure which are very dilapidated which are residential, but not owner

occupied, they're all rented out, he's very hopeful that he will see these things demolished soon. I support this also. The Mt. Washington Community Development Corporation is 100 percent in support and I hope that Council will support me and what, I think, is the majority of the neighborhood in voting for this rezoning.

The Chair:

Thank you Councilman.
Councilman Ricciardi.

Mr. Ricciardi:

Just a question for Mr. Hertzberg. I also attended the public hearing. At that time, Mr. Hertzberg there was some discussion regarding upgrading the intersection. I believe that the City of Pittsburgh agreed that it needed to be upgraded especially once the development occurred. Has the commitment been made by the Administration and/or the Department of Public Works and Engineering and Construction to upgrade that intersection if we move ahead with this rezoning?

Mr. Hertzberg:

It's been made not only in the event that this rezoning occurs, but it's been made under any scenario. It's been known, I think, if you remember Mr. Alexander speaking about having this intersection changed 30 or 40 years ago and receiving the City's commitment to do it back then. We've had a long standing commitment to do this and to make some improvements. The improvements have already been designed. Public Works, I will look forward to you also helping me as our Public Works Chairman in getting

this done. But, there is a commitment to do it, yes.

Mr. Ricciardi:

I'll follow the lead of our representative, Mr. Hertzberg, who represents the District very well. For the record, I am somewhat concerned, however, because there is a great deal of support for the Thrift Drug, but at the same time, some of the immediate neighbors raised some very compelling issues even though there was a small number of them. With the final words of Mr. Hertzberg and, hopefully, the commitment of this Body towards improving that intersection within the next capital budget or next year, of course we can make sure we have some line items. I'll be voting in the affirmative today.

The Chair:

Thank you Councilman Ricciardi.
Councilman Cusick.

Mr. Cusick:

Thank you Mr. President. I, too, want to chime in and offer my assistance. I think through your leadership, Councilman Hertzberg, and the leadership of Mr. Ricciardi through the Public Works Department, some of the major concerns that the citizens, I think, brought to us were of traffic. I would just like to offer a hand in all of that because I think it directly affects my District along with Councilman Ricciardi's. I, too, am very concerned with the traffic problems that are up in that intersection. I think that all of us, collectively, should work together to try to fix or take care of the situation. Thank you.

The Chair:

Thank you Councilman.
Councilman O'Connor.

Mr. O'Connor:

Just to echo, probably, the same sentiments, I had a meeting last week with the neighbors across from there. I feel they do have some legitimate concerns and also suggestions. As discussed in the previous hearing, there are some safety issues. I won't hold this up and I won't get in the middle of it. I think I convinced them and talked with them that they feel comfortable. I assured them that Councilman Hertzberg would certainly address some of their concerns, again, especially around the safety and some minor things. Again, I believe Mr. Hertzberg is the person to do it. It looks like a good project although these people I do think have some legitimate concerns that I'm assured by the Councilman that he will follow-up. Therefore, I will support it.

The Chair:

Thank you Councilman. Any other discussion?

Hearing none and no other discussion on the other bill. Bill 1243 on Communication Towers was recommitted for further discussion tomorrow. Hearing no other discussion, if you're in favor of the remaining bill, vote aye. If you're opposed, vote no.

Will the Clerk please call the roll.

The zoning, rezoning bill as Councilman Hertzberg has stated at the last meeting requires a seven vote majority of this City Council.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bill having received the legally required number of votes, has been approved finally.

Committee on Parks, Recreation and Youth Polity, Councilman Cusick.

Mr. Cusick:

Thank you Mr. President.

The Chair:

Thank you Councilman Cusick.

MR. CUSICK PRESENTS:

Bill No. 1716

Reports of the Committee on Parks, Recreation and Youth Policy for March 5, 1997 transmitting sundry resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

No. 1649 Resolution providing for a Lease or Leases and/or License Agreements and/or Management Agreements for the use of certain property for Senior Citizen Facilities and/or Management Agreements for the provision of center services to senior citizens, in an amount not to exceed \$205,000.00, chargeable to and payable from Senior Citizen Program Trust Fund, Index 254250, Account 560100, Fund 2850, Organization 530000s, Subclass 600, Year 1997.

Also,

No. 1676 Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania in the amount of \$12,375.00, in connection with the City of Pittsburgh's Summer Food Service Program without previous authority of law and providing for the payment thereof.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Councilman Cusick, Chairman.

Mr. Cusick:

On Bill 1649, I want to make a few comments. I think the Administration has made great strides in regards to the licenses of different senior centers in the City. I'm not talking about the Management Agreements at the bottom. I think this center has provided a great opportunity for our seniors and to the buildings that house the seniors in

Beechview, Garfield, Perry South and Lawrence. I think that we need to continue to work to find and house our seniors and give them a permanent home. We continue to pay high rent to the different facilities here when we could be paying the debt service on a piece of property that we own that the seniors can call there own. I think it's something very important. I know that you have been beating that issue for some time. I think we need to continue to work. I know the Administration has worked on this situation over the past few years but we need to continue to do that. This is brought up each and every year as we renew these leases. No one is faulting the landlords, I think we all have good landlords. The tenants are great. But, the financial situation of the City deserves more attention to this. I would hope that the Administration would put someone on this. I speak, specifically, about the Beechview Senior Center. It's an incredible building that houses and does a tremendous job for the senior citizens of the Beechview area. At the same time, I think a number of things could happen with that building. I think we could house senior citizens in the upper floors of that building. Businesses could still participate and be a part of that building while having our seniors on the bottom floor. We continue to pay in the neighborhood of \$40,000.00 a year rent and it's the highest rent in the City. That is not to say that the landlord is at fault or the City is at fault because that is the only place that we can house our seniors in Beechview. What I'm saying is that \$40,000.00 over a ten year period could have paid off that building and we could have received a small rent back from seniors and from businesses and that's something that we should be working on. I offered my help

to the Administration. I think that, collectively, the Council and Administration can work together to find solutions to these somewhat outrageous lease agreements that we continue to enter into. Again, I want to be very clear, this is in no way an attack on the landlord or on the City. In some cases, I think that we are forced into these situations, but we need to come up with unique ideas and we have yet to do that in some cases. Only in some cases, I think we need to work a little harder on that considering the financial climate in which the City's in and I would offer my help. I want to find a solution and I want to do something that would help to grow Beechview area. This building has business tenants in and out of it. I think that we could find more stable tenants if we, the City, became a partner with the community in this.

As far as the Management Agreements, I don't have any real concerns. I think they're good. I know I deal with, along with Councilman Ricciardi, on the Aldorado Center. They've managed and continue to manage a great facility. My comments are only being directed toward the lease or licenses.

The Chair:

Thank you Councilman. Any other discussion?

I hope by now that Mary Esther Vantura from the Parks Department has met with each colleagues if it's appropriate regarding the senior center leases especially as it relates to colleagues who have senior centers in their respective districts, that she is in the process of doing that. I made it very clear and in voting for this agreement today that the commitment

from the Administration is to not enter into a long term lease at least as it relates to one senior center in my council district in Lawrenceville. We are very unhappy with the condition of the building and we are spending an awful lot of money and we need to appropriately plan for a new or more modern facility that's more appropriate to the needs of the center. We're spending over \$27,000.00. I am very displeased about the situation. Similar to what you've outlined, we have to maintain the center's integrity now, but we want to engage in the planning process. I will be announcing shortly a planning process with the community and the Boys and Girls Club involving the swimming pool at Lesley Park with the possibility also of building a new community youth center which would include the possibility of a large modern senior facility. But, that's a lengthy planning process that would have to go on with the Lawrenceville community. In the meantime, I don't want to be locked into any five year lease regarding the Lawrenceville Senior Center site. So, again, I'm voting on this today because it will guarantee short term leasing arrangements until we can plan out a more appropriate location.

Any other discussion?
Councilman Cusick.

Mr. Cusick:

If I may, in regards to these leases, I do speak to Mary Ester Vantura on a regular basis about what exactly is going on in these Senior Centers. I think the one thing that I'm able to do and to help the seniors in these situations is because of the high rent that the City puts forth. I think some of the activities that may go towards

that center or some of the equipment that may be needed for that center, I'm able to help them through with some of the CD dollars seeing that I'm not in the situation that you or other Councilmembers may be, that I have those funds available. I still have to say that this is a waste of money. We should be paying on something that we can own, that we can call our own, and that some of our seniors can call their own, that some of our seniors can walk right upstairs and go to eat or to sleep and still maintain what has been traditionally a business atmosphere on the street level floors. I think that each year, and I know that you've been an advocate of getting out of these leases, Mr. President. I know that the landlord in the Beechview situation is willing to sit down and talk and negotiate with the City and this is something that we should do almost immediately.

The Chair:

Thank you. Again, Mary Ester Vantura from the Parks Department is the point person on this negotiating these leases. I would ask my colleagues if they have concerns to speak with her. Outlying requires a collaborative between all of the parties involved. I'm sure you're going to lead and anticipate in that initiative.

Any other comments on this bill or the remaining bills?

Hearing none, if you're in favor of the bills, please vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

All of the bills having received the legally required number of votes, have been approved finally.

Concluding with the Committee on Engineering and Construction, Councilman O'Connor.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you Councilman O'Connor.

MR. O'CONNOR PRESENTS:

Bill No. 1717

Report of Committee on Engineering and Construction for March 5, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1654 Resolution further amending Resolution No. 994, effective December 30, 1994, as amended by Resolution No. 34, effective February 8, 1996, entitled, "Providing for a Contract or

Contracts, or use of existing Contracts and/or an Agreement or Agreements or use of existing Agreements for the Rehabilitation of the Meadow Street Bridge, providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation and providing for the payment of the costs thereof", by increasing the total project allocation by \$150,000.00 from \$1,600,000.00 to \$1,750,000.00.

Also,

No. 1655 Resolution further amending Resolution No. 1455, effective January 1, 1994, entitled, "Adopting and approving the 1994 Capital Budget and the 1994 Community Development Block Grant Program and approving the 1994 through 1999 Capital Improvement Program", by increasing EC94-63 Meadow Street Bridge Rehabilitation Trust Fund and transferring the amount of \$150,000.00 from \$1,600,000.00 to \$1,750,000.00.

Also,

No. 1656 Resolution providing for an Agreement or Agreements or use of existing Agreements and/or a Contract or Contracts or use of existing Contracts and for the purchase of materials and equipment for Renovations and Maintenance of Various Public Buildings, at a cost not to exceed \$91,179.00.

Also,

No. 1657 Resolution providing for a Contract or Contracts or use of existing Contracts for the Installation of Debris Nets for the Greenfield Avenue

Bridge, at a cost not to exceed \$100,000.00.

Also,

No. 1658 Resolution providing for a right-of-entry and Easement Agreement with the Roman Catholic Congregation of Prince of Peace Parish in connection with the expansion of Volunteers Baseball Field located in the 29th Ward of the City of Pittsburgh.

The Chair:

You have heard the reading and titles of the bills, is there any discussion? Councilman Cusick.

Mr. Cusick:

Thank you. I just want to thank the Administration and especially the Committee on Engineering and Construction for finally working out the Easement Agreement with the Roman Catholic Congregation of the Prince of Peace Parish. I'd like to further publicly thank Representative Readshaw in what has been a long and hard fight to have something done. Representative Readshaw was able to secure state dollars to help us to rebuild and do some expansion of the volunteers baseball field. He needs to be commended. As a new member of the House of Representative, he's been able to bring a number of good things back to the Carrick area. Over a million dollars to the Phillips Parks expansion and, now, in regards to this situation at the Prince of Peace. He continues to help the children of the area. I just want it to go on record that I think that Representative Readshaw continues to work with the City, he continues to do a

great job for City residents and with this short amount of time, he's been able to do an amazing job by securing dollars that had not only benefited us here. It allowed us to work on other neighborhoods in other parts and do other things. I think that's really going up in Harrisburg and doing your job. He needs to be commended. I think all of Council should thank him because we're able to release some of the dollars from some of the southern parts and bring them out to the other communities.

The Chair:

Thank you very much. I just want to echo your point. I think State Representative Readshaw as well as State Representative Don Walko, in particular, had been very active in City affairs and very attentive. Everytime we've asked them to participate in Post-Agenda Meetings or Planning Meetings, they've been here no question. I think we should applaud both of these state representatives. They're really doing a great job and we really applaud the cooperation they extend to this Council.

Councilman Cohen.

Mr. Cohen:

This is on a different bill.

The Chair:

On a different bill, any other issues on this bill? Councilman Cohen.

Mr. Cohen:

We had a discussion with Director Reginella last week about the Greenfield

Avenue Bridge, Bill 1657. This bill is to provide nets for the chunks that come off of that bridge, it's called spalling. It's been terrible and it's also just an ugly symbol as people drive the Parkway under the bridge to see those nets under there carrying chunks of rocks. There's a safety consideration here, obviously. Director Reginella did commit that even though this is just for new nets that they would working quickly to try to get a contract out there to finally fix this bridge. This is one of the issues that have been before us for many, many years, we have to get it resolved. So, I'll vote for this bill because they need these nets for safety purposes, but this does not solve the problem. They got to finally repair that bridge.

The Chair:

Thank you. Again, I just want to echo your point. I know the state law says that it has to be state route in order for the state to assume responsibility for the bridge. I've been struggling for 10 years to try to gets the Hatsrun Bridge, which is really not even much of a bridge anymore, it's basically just a roadway point on Butler Street at the bottom of the zoo area, you're probably familiar with it. That's owned by the state. It's completely in violation of the City code, it's unsafe, and it's a potential liability. I know the state law says that it has to be a state route for them to take responsibility for the bridge. But, surely, when you have the bridge of this magnitude and cost and being where it's located right over an interstate parkway, I would just think that there has to be common sense prevailing at the state level. I do not understand why -- Philadelphia always seems to get something when they need it. They got \$185,000,000.00 when they wanted to

build a convention center. They didn't have to float a bond issue to help the Pirates. They got \$8.5 million for their baseball team when Governor Casey was at bat. I don't understand why there can't be some special consideration for the uniqueness of this bridge given its strategic location, high up over the Parkway. I'm very displeased at the lack of response. I'm not going to criticize Representative Itkin or other state representatives, but they always seem to be MIA on a variety of different issues when it comes to our City neighborhoods. I'm continually perplexed that people are not helping to bring home the bacon when it really needs to be brought home in order to really address. This bridge should be permanently reconstructed and upgraded. It is an unique bridge, but more importantly, it's very dangerous right now. I have a sunroof top, but I certainly would keep it closed as I'm going underneath this bridge. We've had a history in the last five or six years of a significant amount of rock or concrete or whatever they call it, falling out from there. I think there might have even been some lawsuits and settlements by the state. Again, I don't think it's fair for the state to just leave us hanging on this. I think the state representatives from the area should be held accountable for helping the City try to address this problem.

Councilman O'Connor.

Mr. O'Connor:

I can see why the nets are needed because it was never fixed properly in the first place. I just wondered if whoever did the job, and I have no idea, was paid for the right job. I wonder if they're still on the bid list and is still getting jobs.

Whoever did this and whatever they paid, it's a terrible mistake and we're going to be paying for this net for many, many years to come unless it's done right. I agree with you and will try to meet with Itkin and the new State Senator Costa and maybe they can address those issues for us.

The Chair:

Thank you Councilman. Any other discussion?

Hearing none, if you're in favor of the bills, vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cowen	Mr. Onorato
Mr. Cowen	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

All of the bills having received the legally required number of votes, have been approved finally.

That concludes our Reports of Committees. Under Motions and Resolutions, as you know I did mention earlier that our two colleagues from the City Court will be here tomorrow at the beginning of the meeting. If colleagues do have concerns or questions, please try to be attentive at the 10:00 time.

Councilman Cusick.

Mr. Cusick:

I hope this is an appropriate time. I just want to thank a few people, especially, again, I think it needs to be mentioned because it wasn't last night and that, again, is Harry Readshaw. Harry gave me a call last week and thought it would be appropriate and healthy for the community of the Carrick and Mt. Oliver areas to vent some of the frustration and some of the pain that goes along with the recent shooting. We held a meeting, myself and Magistrate King, and gave people that opportunity. I thank Councilman Ricciardi for attending and providing a great deal of help in coming up with, possibly, a solution within the next four weeks of some of the fears that the children and parents may have as far as the security goes. We hope to meet collectively with the Commander, Chief Phason, which I think has done a wonderful job with what he has to work with. The superintendent of the school, the district magistrate from the area, myself and some students and community people alike. I just people to realize that we will be back and this is my promise and I'm sure Councilman Ricciardi will help me follow through in all of this. We will be back in four weeks with, hopefully, some solutions from some of the recent problems that Carrick High School has had. Gasoline was thrown on the ways and up near the electrical box and a few days later there was a shooting. The questions were answered last night. People, basically, do not feel that their children are safe and children do not feel that they are safe. We need to provide better security. It is the largest High School attended in the City of Pittsburgh

and deserves the type of security. We're not saying that security can stop some of the things are going on at the school, but we need to know that our children are safe and that we are doing everything. The school board with a bigger budget than the City of Pittsburgh can provide the type of security that we are asked and we provide each and every day to our residents. I think we need to take it one step further. We need to hold our principals and the people who are in charge of our High Schools accountable. In this situation, the principal did everything in his power to make the school safe. It is very scary when you hear about gasoline being thrown up near an electrical box. It could become very explosive and children's lives can be at risk. This is not to alarm or further continue with this situation. But, we need, with a school of that size, with the number of students at a school at that size, deserves to have security. When parents go to work, they should know their kids are safe. They are in our hands, they are put in our hands and they should have the right to know that.

I have to commend Commander Donaldson, Chief Phason, and Chief Hinemarch from Mt. Oliver Police. They have cooperatively worked together and continued to try to work on some of the problems in the Carrick area. I hope that we can help them if need be. I hope that this was an isolated situation. I hope that the teachers along with the Social Workers of that school will continue to work on some of the problems. I hope, collectively, that we all can get together. When I say we all, the public safety, the administrators of the school and this City, can come together and come up with some real solid solutions for the Carrick area. I don't believe, and this comment was made

by the Principal last night, the school does not send bad things to the community, the community sends them into the school and I think that's true. But, once they get to the school, it becomes our responsibility to make sure that that school is safe. We can not tolerate that type of violence or that type of malice in our schools. The parents, the Grandparents and the children all deserve to know that their kids are going to be safe at school. I thank you, again, Mr. Ricciardi, for your comments last night and coming up with the solution of everyone coming together and coming back in four weeks and making people feel safe again.

The Chair:

On this issue, Mr. Ricciardi.

Mr. Ricciardi:

I'll be very brief colleagues, because it's a very complicated issue. I'd like to first commend and thank Councilman Joseph Cusick who represents the majority of Carrick for really organizing and initiating the meeting last night. I thought it was very good informational meeting. The premises that the majority of the students at Carrick High School are very students and they've come from very fine families. But, there's a small number of students that are not only disrespectful but are actually dangerous to themselves and to the majority of the students there. They need to be dealt with severely through sanctions, through transfers to other schools, through expulsions, through suspensions and where need be, where citations needs to be issued for civil and for criminal mischief. Saying that, I think we really have to continue to be very

positive and that's what came out of the meeting.

We set up a committee where we're going to what worked in the past, what needs to work in the future and move on. As I stated last night, and I believe Mr. Cusick agreed, we also need to be very cognoscente that the neighborhood of Carrick is the host community for that school. The Carrick community right now is experiencing some difficulties through loitering, through criminal mischief, through graffiti, through garbage being thrown around that needs to be addressed immediately. I just want to thank Mr. Cusick for moving on. We're going to, hopefully, be very positive about this and come back. I met a gentleman for the first time last night and I really would like to say this publicly. I think he was the Deputy Superintendent of the School, Mr. Manning, and I was so impressed with his comments at that meeting because he appeared that the vision that he had. I really want to make that public. I was very impressed with that gentleman. I look forward to working with Mr. Cusick and others and coming up with the solution, not only for the good students, but to deal with the bad students and to make sure that they get on the right path, but also to start showing respect for the host community of Carrick High School and that's the Carrick neighborhood. Thank you.

The Chair:

Thank you very much. Again, I do think that this points out, just in response to what I understand what went on last night, how important the effectiveness of the COP Program is. It's not just a school inhouse issue, it is very much a

community based issue. I'm very concerned that there continue to be proper community organizing and public safety intervention by COP Officers in a quality kind of way because some of the things I think that are problem are ancillary to the educational unit itself. I think that it shows kind of a weakness of a proper strategy as it relates to the effective use of our COP resources and/or beat control and/or surveillance officers. I would hope at some point that that with zone commander and the COP is an important part of this planning process to properly respond on behalf of the community as Councilman Ricciardi stated.

Any other comments on this issues? Councilman O'Connor.

Mr. O'Connor:

Regarding the shooting in Mt. Oliver last week, I was up there. The young people had the answer. Again, they thought that most of the problems was outside the school. There were two groups who are in school have no problems when they're bused and they stop at the same corner even the school students weren't the major problem, it was some of the outsiders, the dropouts, the hangers on and they suggested that they go straight to their homes instead of that little bus stop that seems to create the tension. Again, my only suggestion is why not listen to the students, maybe they have some of the answers that would resolve a lot of these issues.

Mr. Ricciardi:

Mr. O'Connor, they're going to be part of the planning process. We had two really articulate students at the meeting.

So, we're going to make sure they're part of the planning process. Thank you.

The Chair:

Thank you very much. Under another matter, a different matter, Councilman Cohen, then Mr. Onorato.

Mr. Cowen:

Mr. President, on a different matter. The TCI cable monopoly is at it again. They announced this week that they'll be raising rates again on June 1st. It may not be a huge dollar amount, but the percentage increase is quite high. It's much higher than the inflation rate. Of course, this is TCI's MO. This is what they always do and have done for years. They increase rates, say that they have not increased by a large amount and then turn around and increase again. TCI is nickling and diming us to death, especially for people who are on fixed income. Whether it's social security or whether it's pension or whatever, they just can't keep shelling out money for TCI for the same product. TCI keeps increasing rates without making any allowance whatsoever to people who are on fixed income and people who can't afford it. As everyone knows, last year Congress took away the limited right that we have over TCI with the telecommunications bill. That bill really is where Congress caved in to cable companies like TCI. I don't believe that we can stop this rate increase although Deborah Miskovich and others are looking into it. But, we do have another important lever. I think this is something that Council has got to keep in mind and that is that TCI wants the City of Pittsburgh to renew it's franchise agreement. It's franchise agreement is due to expire in

October of 1999. My view is that we shouldn't even consider renewing TCIs franchise agreement unless they are able to make firm written legally binding commitments about not increasing rates in the future. I'll be presenting Council with a resolution on this issue.

I want to commend the Cable Communication Advisory Committee because they have taken up this issue under the leadership of Chairman Joe Eaton. I also want to thank Jerry Janice in your office Councilman Ferlo who is your representative on the Cable Advisory Board. He provided me with some information about this. They are contacting the senator who is the head of the Commerce Science of Transportation Committee, his name is John McCane. He is apparently is having hearings on rising cable television rates. I want to make sure that Pittsburgh is a part of those proceedings and that our voice is heard down there. That the telecommunication's bill basically allowed cable companies to increase rates. Also, the Advisory Committee is asking to identify their role and upcoming cable communication franchise renewal negotiations. I think they should have a role and I think we should have a role. As of now, the City Council does not even have a role in any franchise renewal negotiations and that will be part of the resolution that I present before Council, that we make sure that we have a role.

In short, we should not be even negotiating with TCI until they are in a position to be able to make firm, written, binding commitments about not increasing rates in the future like they have in the past. It's outrageous and it's also outrageous that we don't have the legal

ability to do anything about it until those franchise agreements come up. However, it's coming up relatively soon. So, TCI wants the City to give their approval now. I say we shouldn't do it and I'll be presenting Council with a resolution on that. Thank you.

The Chair:

Thank you, Councilman Cohen. Just to clarify the memo that I think all of us received early this morning from Director Miskovich. She just recaps three issues. One of which Councilman Cohen just hit on, the upcoming hearings in April by the senate committee. Obviously, in terms of the request from the cable committee, we would like to obviously have representation if it's appropriate and possible so that we can make comments on the municipal level about our concerns. On the second and third point, I would ask Councilman Hertzberg to facilitate some discussion especially with Councilman Cohen and Mr. Udin from the working committee on telecommunications and try to give us back a sense to the overall body on what some of the appropriate actions are that we can take to the future regarding Director Miskovich's requests. Specifically, as a law stands right now on point 2, regarding the committee function, meaning the Advisory Board Committee Cable, the present law would require in addition to Council ultimately having to approve by ordinance any changes regarding in relationship with TCI or anybody else prior to Council considering that based on Councilman Hertzberg's amendment a year ago, we would obviously forward any recommendation or bill to the Cable Committee for their input and advisory opinion prior to our final action. I think what's being requested is a

higher level of involvement now by Councilmembers and/or committee members in the actual negotiation process. To that extent, I would ask that Councilman Hertzberg from the Committee and Mr. Cowen and Mr. Udin maybe help facilitate a review of that issue. On the third issue regarding the Advisory Committee's representation on the Mayor's Telecommunication Working Group, I don't know if they are or are not represented. I would strongly suggest that we ask that the Mayor expand that group at least by a couple of members from the Cable Communication Advisory Group if they are not now presently represented. I don't know if they are or not. Judging by the question here, I assume they aren't. If there's no objection, I would ask that Councilman Hertzberg take that up with the Administration and ask that they please invite Dr. Eaton and another representative from the Committee so that we're all on kind of the same base together.

On either this issue or related matter, any other discussion? On a different issue, Mr. Onorato.

Mr. Onorato:

I'll defer to Councilman O'Connor.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I just read in the paper this morning and I don't know whether to thank or criticize you or maybe you should thank me for running for Mayor because I thought actually this whole business really started because of a lack of

communication from the Administration to Council and we find out about Bigalow closing in the paper. If you remember or if the Mayor would have listened, I think Valerie McDonald and I were very, very close to this suggestion when it first came up. It's not only a compromise, but it maybe the right thing to do for both. I certainly want to thank her for supporting. I think both of us were very supportive on something like this because we want to be business friendly to the community. I think we want to be friendly to the University of Pittsburgh because there is a problem there and we want to include the neighbors. My question is, is this going to come to Council again? I haven't seen the study. Again, I think it's what I wanted originally. Again, I have to share this with Valerie McDonald. I would like to see the study. If we are going to have some input on it, has the neighborhood seen the study, do they agree with this, where is the \$90,000.00 going to be made up from the parking. I don't want to be all negative here, but I believe before a deal is made, although this time, it's certainly a nice back room deal that may have benefited everyone since this Mayor race. Like you said, if the Mayor's race was every year, we'd probably get a lot more done around this City. I would like to know where it stands with Council, if we have any input, and does the neighborhood have anymore input. I would think most of it would be on a more positive note.

The Chair:

Thank you Councilman. Any other discussion?

Mr. O'Connor:

I was asking you a question. Are we going to have any input?

The Chair:

Let's clarify something. Whatever is in the paper this morning and whatever will be commented on at noon is my own personal view about how we can facilitate and move forward on a controversial issue. It is in no way cast or concrete and no way violates any prerogative or power, let alone legal obligation on the part of this City Council to prove anything.

Mr. O'Connor:

Are you going to have a post-agenda that Council would, at least, be involved?

The Chair:

I think that's an excellent suggestion, yes.

Mr. O'Connor:

Again, most of us want to work with the University and the neighborhood and the business community. So, I would ask you to make us a part of it.

The Chair:

I think your points are very well taken and appropriate. Councilwoman McDonald.

Ms. McDonald:

I was also amazed by the report in the paper about the compromise. Again, I don't really want to be negative because it is something very positive with leadership

around the table from Councilman Ferlo who was a in strong opposition to the closing, myself who didn't like the closing but was willing to try to work something out, as well as colleagues who put their necks out, really took a lot of heat for this flatly voting to good ahead with a 60 day closing trial period. I don't think it was fair for what happened. We asked, I know I personally asked for a compromise. The exact same drawings that Councilman Ferlo had made copies of for us, the exact report that's in the paper is exactly what I had been talking about all along. How many times do I have to say I told you so. That's what I'd like to ask the Administration. Why is no one listening to any kind of common sense. When you talk about a 30 day, 60 day closure, that's definitely was something I didn't want to do, but I was willing to work with the University. But, to sit there and fool the public, fool Council, fool Pitt students, fool the facility and fool everyone and come up with a compromise. Why wasn't this presented all along? I think I would have been a little more respectful of this final report had that been the position all along. Don't fool the public. Give them some type of common sense from the very beginning, that no we really don't want to close it down, we're looking into that, but we really are seriously considering a compromise. And, I guarantee you all the public hearings and all the heat the certain Council people had to take about this issue, the public debates, it was nonsense, it was a waste. It was a waste to have to come up with a compromise like this. In that way, I'm just a little ticked off, but I'm glad to see that there is a compromise that had been promoted all along. It's just that I would ask the Administration, don't do this anymore. Put some common sense on the table from the very beginning and

give the public that due courtesy and then proceed from there.

Mr. O'Connor:

I think it's a shame that Pitt didn't listen to us in the beginning because again the neighbors and Pitt here's a battle even if this is a good compromise and I believe it looks fairly reasonable. It's a shame that it had to go through this and now it's ending because of politics. If they through politics out, I feel this could have been done without all the late meetings and putting Councilmembers for or against neighborhoods and against Pitt. I feel very concerned. I've done a lot for Pitt. I have a very warm spot in my heart. I worked very hard for Pitt. I was against the way it was held. In fact, to some of my close friends at Pitt, now I'm a bad guy at Pitt because I did the right thing and tried to convince them to do this. Again, we have a big controversy about Pitt, the neighborhoods versus business. I just hope this works out. I think, again, after you have this I would hope you have a good meeting to include everybody so that we walk away all on the same page.

The Chair:

Let me, first of all, formally thank both of you colleagues, Councilman O'Connor who's made a comment and serious comments as well as Councilwoman McDonald for very early and clearly stating their grave concern about the notion of closing permanently this section of Bigalow Boulevard. I think both of you epitomized the fact that common sense could prevail. I think you stated that eloquently right from the beginning. In no way would I attempt being a stogy opinion of any permanent

closing of Bigalow as I am. I would in no way, in anyway, detract from your comments that both of you just eloquently stated. I can not in anyway disagree in the manner in which you've characterized this transaction.

Any other discussion on this issue or other issues? On this issue, Councilman Cowen. Please, Councilman Onorato's had his hand up also for sometime.

Mr. Cowen:

Thank you and I'll be brief. I guess I don't understand the negative comments about the compromise completely. I'd like to talk to my colleagues further about it because I think what's happening today --

The Chair:

Let me just clarify as best I can, Councilman Cohen. I think people are rightfully asking that they be in part of the communication loop which and I think it's appropriate.

Mr. Cohen:

I agree with that, absolutely and that Council should be involved. I think many of us on Council had been involved. I represent the district in which this famous intersection rests and I think that anytime you have a coming together of two very important entities of the City at the same time doing the right thing which is keeping Bigalow Boulevard open that this is a positive development. Basically, what happened is the University of Pittsburgh wanted to close Bigalow Boulevard. The community and Council said no. Nothing against the University of

Pittsburgh, we support the University of Pittsburgh, it's the largest employer in the City of Pittsburgh and in the region and does a lot of good things, certainly educating students, etc. But, we said, no that's not good for the neighborhood or for the City. Now, after several months, a compromise has been forged where Bigalow Boulevard will remain open. This is a positive development because it allows that intersection to stay open because obviously the two most major problems in Oakland is traffic, this allows that traffic flow to continue, but at the same time allows Pitt some steps that will help ameliorate what they view to be problems in terms of their campus. So, I see this as nothing but a positive development. I think Council should continue to be in the loop, absolutely. All of us took heat on both sides of the issues. People who voted against, like myself took a heck of a lot of heat and people who voted for it, took heat. But, I think now I have to commend you Councilman Ferlo because you helped forge this compromise which I think is a good thing for the City, a good thing for Pitt and a good thing for everybody.

The Chair:

Just in response, one, I agree with you in terms of your characterization, obviously, because I'm about to support, publicly, this proposal. I'm not offended and I think Councilwoman McDonald and Councilman O'Connor have rightfully characterized at least on a political and a procedural and a policy level their concerns. I would no way be in a position to disagree in their comments just now. I think this is not a Mayor Murphy and Jim Ferlo issue, this is an issue that every Councilmember had an obligation and

spent an awful lot of time and passion and concern having been expressed on any number of different meetings and interactions over the last year and a half. So, I take their comments to heart.

Councilman Onorato.

Mr. Onorato:

I wasn't going to comment, but I'll just add my concerns. Councilman Cohen I'll be more than happy to explain some of the anger here in your office after this meeting. Let me just correct one point. Council did not vote against this, they voted actually in favor of the closing. And, the majority of the Council spoke out for a report. There was no report back to us and, with all due respect to the President, you know I respect his advocacy, but the Administration better realize that City Council is made up nine members, not one. I don't care how big the critic is and I want to make that very clear. This Council spoke very clearly with a majority vote, five to four. I do not appreciate what happened in the paper because, you're right, we all took a lot of heat. I spent hours on the phone and writing letters responding to people on this issue. I'm sure you did regardless of what side you were on. To wake up one day and to read this when the majority of Council said here is a process we were following, were not informed. Well, you're damned right I'm mad. If there's a press conference today, I can tell you right now, I will not be present because I will not be a prop for anyone. The process is just beginning again and you'd better bring it back to this Council and talk to the majority of the members. I might support this and I might not, I just don't know. The anger is over the process and if I'm

not making that clear, I apologize. Councilwoman McDonald, I couldn't agree with you more today, that's where the anger is coming from. I have other issues I want to talk about, that's not why I was raising my hand.

The other issues I want to talk about, briefly on March 26, 1997 at 1:00 p.m., I'm calling for a post-agenda with the Western Chapter of the Pennsylvania Restaurant Association. I've been meeting with Mary Margaret Fischer, the Executive Director of the Western Chapter. She wants to know if she can address some of the concerns of the Restaurant Association with the City Council, so, I'm facilitating a meeting.

MR. ONORATO motioned to cable cast a public hearing on March 26, 1997 regarding the Restaurant Association.

The Chair:

If we could get characterization of what that meeting is about.

Mr. Onorato:

We're going to also have at the meeting Earl Fraley from the Downtown Partnership, Paul Hennigan, Director of Finance, Ralph Kirshesky, Guy Costa and Steve Leopard. It's just about an array of things of what the Restaurant Industry would like to suggest that would help their industry in the City of Pittsburgh. It will be a working meeting, a very positive meeting and they'd like to address all nine Council at one time.

MR. CUSICK seconded the motion.

Which motion prevailed.

The Chair:

Thank you Councilman Onorato.

Mr. Onorato:

Finally, one other issue. I introduced a resolution today that I waived Rule 8 on. It will be up tomorrow and we'll talk mostly tomorrow on it, but it's about asking the Solicitor to file legal charges against the individuals if they're found guilty in Brighton Heights. This is a specific case, however, because it happened I want to do this now. I'm putting together a resolution and an ordinance that the City, hopefully, will adopt that would deal with graffiti removal. I'm all in favor of having the City go out and clean private property and public property as soon as possibility to remove graffiti, but I do not think that the City should bear the cost of that removal if we find somebody that is guilty through the court system. Once they're found guilty, I want restitution and I want to make sure that the individuals or their legal guardian pay for the costs of removal of this. We caught individuals here. Now, they're only arrested, they are not found guilty and I'm not given names. But, if they go through the system and found guilty, I want to make sure that the Solicitor in this City file charges to collect that money. They attacked public property. That memorial this Council helped support of Steve Shortly who was killed in a plane crash. We gave \$15,000.00 and the community raised another \$15,000.00 was destroyed with spray paint all around it. It's not even a year and a half old. They destroyed the World War II statue in Legion Park. They put cop killer all through Brighton Heights

field. If these individuals are found guilty, and they're from the community, they're from Brighton Heights, if they're found guilty, I want someone to pay because that's the only way we're going to get this message out. It can't go any longer by just saying we're going to clean it and a slap on the wrist because they're juveniles. Thank you Mr. President.

The Chair:

Thank you Councilman. Any other discussion?

Hearing none, motion to adjourn this legislative session.

MR. UDIN motioned to adjourn this legislative session.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

This legislative session stands adjourned.

Stenotype Reporter:

Transcribed by: Lenora Johnson

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, March 18, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

The Chair:

Good morning everyone. Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased this morning to have two young students Brittany Crawford who is 10 years old and is in the fifth grade and Laura Crawford who is 7 years old and is in the second grade. They

both attend Elizabeth Seton Elementary School in Sheraden in Councilman Hertzberg's District. Their mom, Veronica, is here, nicknamed Roni and their grandfather, the Honorable Frank Kunca is here also. We're very pleased the family came out. At this time, they're going to lead us in the pledge of allegiance.

Brittany Crawford & Laura Crawford:

I pledge allegiance to the flag of the United States of America and to the Republican for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you Brittany and Laura. We appreciate you coming down here this morning with your family. Our Clerk would like to present you with a flag of our great Nation and a flag of our City of Pittsburgh. That you very much for coming down here today.

We have a number of guests in the audience this morning. At this time, I'd like to call on Councilman Bob O'Connor.

Mr. O'Connor:

We would like to welcome Mary Francine and neighbors come forward. Welcome Mary Proviro and Mary Francine Fletcher. This is your second anniversary and we're honored to have you here.

MR. O'CONNOR PRESENTS:

No. 1718 WHEREAS, the Neighbors program, which provides activities and social services for older adult tenants from the Jewish Association on Aging, is celebrating its Second Anniversary of outstanding service to the community, and

WHEREAS, there are two program sites, located in Shadyside and Squirrel Hill, each are situated in apartment buildings where a high concentration of senior citizens are living. Neighbors program provides an on-site social worker who assists the tenant with various services so they can remain independent in their own homes and avoid institutionalization, and

WHEREAS, Neighbors also offers a variety of activities including weekly classes, special events such as trips, movies, and games, all designed to help reduce elderly tenants' feelings of isolation and loneliness.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the Neighbors program and the Jewish Association on Aging for its dedication to the Jewish community and the elderly population of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, March 17, 1997 "Neighbors Day" in the City of Pittsburgh.

MR. ONORATO motioned to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Mary, would you like to tell us exactly where they are and a little bit about your programs and, maybe, how other ones can start.

Ms. Fletcher:

The Neighbors Program is located in Shadyside on the corner of Center Avenue and Negley Streets and in Squirrel Hill on the Corner of Morfield Street and Murray Avenue. What we've done is we've taken a combination of public and private housing buildings where there are high concentration of senior citizens living and approached those individual landlords and arranged to operate social services and activity programs in those buildings with the idea of helping older adults remain at home for as long as possible. We're very pleased and grateful to Councilman O'Connor for having arranged for this honor and for the entire City Council for having sponsored the Neighbors Program with the Community Development Block Grant that was sponsored through Councilman O'Connor and Councilman Cohen. Thank you.

Ms. Fletcher:

This afternoon from 1:30 to 2:30, we're having an anniversary party at Albright Church where all the seniors in our area are coming and we have a lot of different people from the program. You're all invited.

The Chair:

Councilman Cohen.

Mr. Cohen:

I just want to take a moment to congratulate you. I will certainly be represented at your party this afternoon. I think it's a wonderful program for our seniors and was happy to sponsor some grant donation monies for it. Congratulations.

Mr. O'Connor:

Clara Smalls from Glen Hazel. Clara is here representing the Glen Hazel Residence Management. We have a big weekend instored. We have a big dinner Saturday night. This is the same Glen Hazel that we have the Kane Hospitals located in. It joins the community and we've had a lot of support down here lately talking about the Kanes and what a wonderful jobs they do. A lot of the employees live in the Community and the residents support it. Thanks for coming down Clara. I'll read the Proclamation.

MR. O'CONNOR PRESENTS:

No. 1719 WHEREAS, the Glen Hazel Resident Management Corporation's goal is to aid residents in owning their own property in Glen Hazel, and

WHEREAS, the Glen Hazel Resident Management Corporation will hold its annual dinner this Saturday, March 22, at 6:00 PM, and

WHEREAS, the honorees at this years dinner will be the Prep Mothers, for their years of service to the youth and residents of Glen Hazel. Mr. Norman Battle, for his dedication to young people in Glen Hazel. The Board of Directors:

Clementine Williams--President, George Newson--Vice President, Mary Dent--Secretary, George Locke, Sr.--Treasurer, Helen Wilson--Sergeant at Arms, Ruth Allen--Parliamentarian, and Clara Smalls--Chaplain. Also being honored is Sarah Dixon for her continuing community work in Hazelwood and Glen Hazel. It is also in remembrance of Mr. James. L. Betsill who passed away as the oldest resident of Glen Hazel.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the Glen Hazel Resident Management Corporation for its dedication to the residents of Glen Hazel.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Saturday, March 22, 1997 "Glen Hazel Resident Management Corporation Day" in the City of Pittsburgh.

MR. COHEN motioned to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Clara, you've really done a great job in the neighborhood. Come on up and say a few words. We're honored to have you here.

Ms. Smalls:

Thank you very much, Bob and members of Council. This has been a pleasure and a honor to accept this award

for our residents in Glen Hazel and also our Board of Directors. Thank you.

The Chair:

Councilman Onorato.

Mr. Onorato:

At this time, would everyone in the audience here for the Campfire Boys and Girls please come forward. As they're walking forward, I will read who's coming up at this time, Thomas Gugur, Sheila Buckley, Mike Nichols, Carrie Gray, Pam Orlando, LaShawn Campbell, Tashawn Butler. LaShawn Campbell is the Camp Fire Kid Kindergarten Representative and Tashawn Butler is the Camp Fire Kid First Grade Representative. I'm going to read the Proclamation and, then, we're going to hear from some of the representatives.

MR. ONORATO PRESENTS:

No. 1720 WHEREAS, Camp Fire Boys and Girls, the national organization, will sponsor Absolutely Incredible Kid Day on March 20, 1997, and

WHEREAS, Camp Fire Boys and Girls has issued a call to action, asking every adult in America to write a letter to a child or children on March 20, 1997, and

WHEREAS, Camp Fire Boys and Girls has established the goal that every child receive a letter on March 20, 1997, and

WHEREAS, the Greater Pittsburgh Camp Fire Council in Pittsburgh, Pennsylvania teaches boys and girls self-reliance, good citizenship and leadership, and

WHEREAS, through contemporary programs and by speaking out on issues affecting youth and their families, Camp Fire Boys and Girls helps youth cope with their changing world, and

WHEREAS, in Camp Fire the Choices and opportunities are inclusive to boys and girls, and

WHEREAS, Camp Fire Boys and Girls is commended for the valuable programs offered to young people in the City of Pittsburgh and throughout the nation, and for the many services these young people perform for their communities through Camp fire, and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the individuals who help make the Camp Fire Boys and Girls organization a success.

FURTHER BE IT RESOLVED that Council declares March 20, 1997 to Absolutely Incredible Kid Day in the City of Pittsburgh.

MS. MCDONALD motioned to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Onorato:

Who would like to be the first speaker at this point? Mike, maybe you could introduce who wants to speak next.

Mr. Nichols:

Right over here on my left is Tom Gloviere. He's the Club and Camping Coordinator. Next is Sheila Buckney, she's the Executive Director. On the Volunteer Sub-organization Consulting for the City. Next we have Carrie Gray, she's the Program Director. Pam Orlando is the Service Learning Coordinator. These little kids right here are from Harrison Village. They're from the McKeesport Area. Also, we have groups on the North Side and on the Hill District. I'm starting one at the Martin Luther King reading center, that's up on Harriett and Milwaukee. We have one on Observatory Hill and another one on the Central North Side on Buena Vista Street. The Camp Fire has been moving very well. I'm so happy I was able to make it here today.

Ms. Orlando:

Real quick so as to not to take everybody's time, but like Mike said, Camp Fire is serving many of the pockets in the City of Pittsburgh as well as in the County of Allegheny. We are excited about the First Annual Absolutely Incredible Kid Day and urge all adults to write a little to a child telling them how proud that you are of them. Thank you for this Proclamation.

The Chair:

Thank you and congratulations to all of our honorees this morning. I believe that concludes our Read and Adopted Proclamations.

At this time, I'd like to move to the Presentation of Papers, Councilman on Public Safety Services, Councilman Cohen, Chair.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Councilman Cohen.

PRESENTATIONS

MR. COHEN PRESENTED:

No. 1721 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts; or Agreement or Agreements or the use of existing Agreements for the purchase of three vehicles and related accessories, for the Bureau of Police, Department of Public Safety, including telecommunications equipment, extended service warranties, and associated expenses for the Bureau of Police, at a cost not to exceed \$65,000.00 chargeable to and payable from the Auto Theft Trust Fund (ATTF), Index Code 250183, Trust Fund 2402, Org. No. 232135, Subclass 600, Account 540000, Bureau of Police, Department of Public Safety.

Also,

No. 1722 Resolution amending Resolution No. 788 approved October 12, 1988 which authorized the City Controller to create a special trust fund, to be designated as the Auto Theft Trust Fund, for the deposit of cash and contributions from insurance companies, citizens or transfers, and authorizing the use funds of said deposited for any and all expenses associated with investigations of auto theft by permitting the Department of Public Safety to use trust fund monies for additional types of expenditures.

Also,

No. 1723 Resolution
repealing Resolution 753 effective June 11, 1993, entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts to purchase a Computer Local Area Network for the Emergency Operations Center and providing for the payment thereof, at a cost not to exceed \$35,000.00 chargeable to and payable from Code Account PEMATF, Index Code 253161, Department of Public Safety, Emergency Operations Center."

Also,

No. 1724 Resolution
repealing Resolution 884 effective November 18, 1994, entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts or Agreement or Agreements or the use of existing Agreements for the purchase of a multi-channel VHF radio transmitter for the Emergency Operations Center and providing for the payment thereof", at a cost not exceed \$11,000, chargeable to and payable from Code Account PEMA, Index Code 253161, Emergency Operations Center, Department of Public Safety".

Also,

No. 1725 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional training services, at a cost not the to exceed \$60,000, chargeable to and payable from Code Account 1448-1, Index Code 144816, Education and Training, Fund 1000, Sub Code 030, Account 564000, Organization 231310, Bureau of Police, Department of Public Safety.

Which were read and referred to the Committee on Public Safety Services.

The Chair:

Councilman Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Cusick:

Mr. President.

The Chair:

Thank you Councilman Cusick.

MR. CUSICK PRESENTED:

No 1726 Resolution providing for a lease or leases for the use of certain City property located at Claim and Hatteras Streets in the 24th Ward, by the Troy Hill Citizen's, Inc. as a public park for the community's benefit for the nominal sum of \$1.00. The City Treasurer is hereby authorized and directed to deposit funds received upon execution of any such Lease or Leases into Index 254359, Account 500000, Fund 7314, Organization 523000, Subclass 600, Yr 1997.

Which was read and referred to the Committee on Parks, Recreation and Youth Policy.

The Chair:

Councilman Hertzberg, Committee on Lands, Buildings and Procurements.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

MR. HERTZBERG PRESENTED:

No. 1727 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Rights, Titles and Interests, if any, in and to the Publicly-Owned Property in the 8th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 51-N, Lot 170, under the Industrial Land Reserve Fund.

Also,

No. 1728 Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Carnegie Library of Pittsburgh for the Sale of Block 51-N Lot 170 in the 8th Ward of the City of Pittsburgh.

Also,

No. 1729 Resolution approving the execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and FSN Management Company for the sale of Parcels 1 and 2 in the Twenty-Second Ward of the City of Pittsburgh in redevelopment Area No. 51 (Council District No. 6, 1201-1301 Federal Street, research building and parking garage).

Also,

No. 1730 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a Tax Incremental Financing Proposal or Proposals for portions of the Federal North Redevelopment Area (Council District No. 6)

Also,

No. 1731 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue amendment of the North Shore Tax Increment Financing Plan.

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

The Chair:

Councilwoman McDonald,
Committee on Housing, Economic
Development and Promotion.

Ms. McDonald:

No new papers, Mr. President.

The Chair:

Thank you Councilwoman.
Councilman O'Connor, Committee on
Engineering and Construction.

Mr. O'Connor:

No new papers, Mr. President.

The Chair:

Thank you Councilman O'Connor.

MR. O'CONNOR PRESENTED:

No. 1732 Resolution further amending Resolution No. 1018, effective January 1, 1997, entitled, "Adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program and approving the 1997 through 2002 Capital Improvement

Program," by creating a new line item (Phillips Park Addition) located in Council District No. 4.

Also,

No. 1733 Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for the Construction of an addition to the Phillips Park Recreation Building and for the purchase of materials and equipment for said project and providing for the payment of the cost thereof, at a cost not to exceed \$1,100,000.00 chargeable to Account 600000, Fund 5100, Org. 301000, Sub-Class PGHPR, Project/Grant 2241008, Budget Year 1997.

Also,

No. 1734 Resolution further amending Resolution No. 86, effective March 13, 1996, as amended by Resolution No., effective July 2, 1996, entitled, "Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for the Design and Construction of the Relocation of Zone 1 Police Station and for the purchase of materials and equipment for said project; and providing for the payment of the cost thereof," by increasing the total project allocation by \$70,000.00 from \$1,100,000.00 to \$1,170,000.00.

Also,

No. 1735 Resolution providing for an Agreement or Agreement, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, for Smallman Street Sidewalk improvements

including Construction Inspection Services; and providing for the payment of the cost thereof, at a cost not to exceed \$850,000.00 chargeable to and payable from Account 600000, Fund 5100, Org. 301000, -Class PGHPR, Project/Grant 22388888, Budget Year 1997.

Also,

No. 1736 Resolution further amending Resolution No. 976, effective January 1, 1996, as amended entitled, "Adopting and Approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program and approving the 1996 through 2001 Capital Improvement Program" by increasing the Federal North Redevelopment Project line item allocation by \$70,000.00 from \$1,100,000.00 to \$1,170,000.00.

Which were read and referred to the Committee on Engineering and Construction.

The Chair:

Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman Onorato.

MR. ONORATO PRESENTED:

No. 1737 Ordinance Amending and Supplementing the Pittsburgh Code, Title Six, Conduct, Article I, Regulated Rights and Actions, by deleting Chapters 616.02 Duty to Remove Graffiti, and

616.04 Rewards, and adding Chapter 620 - Graffiti Abatement .

Which was read and referred to the Committee on Public Safety Services.

The Chair:

Councilman Ricciardi, Committee on Public Works, Water and Environmental Services.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you Mr. Ricciardi.

MR. RICCIARDI PRESENTED:

No. 1738 Resolution providing for an Agreement or Agreements, or the use of existing Agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1997 and providing for the payment of the cost thereof at a cost not to exceed \$115,000.00, chargeable to and payable from Account 527900, Fund 5100, Org. 400000, Sub-Class PGHPR, Project 2220082, Budget Year 1997, Department of Public Works.

Also,

No 1739 Resolution providing for an Agreement or Agreements, or the use of existing Agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1997 and providing for the payment of the cost thereof at a cost not to exceed

\$115,000.00, chargeable to and payable from Account 527900, Fund 5100, Org. 400000, Sub-Class PGHPR, Project 2220082, Budget Year 1997, Department of Public Works.

Also,

No. 1740 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for brick pavement maintenance, rehabilitation and replacement throughout the City of Pittsburgh and other work incidental thereto and providing for the payment of the cost thereof, at a cost not to exceed \$35,000.00, chargeable to and payable from Account 526700, Fund 5100, Org. 400000, Sub-Class PGHPR, Project 2231101, Budget Year 1997, Department of Public Works.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

The Chair:

Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

MR. UDIN PRESENTED:

No. 1741 Resolution amending Resolution No. 354 of 1996, effective May 23, 1996, entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants, Vendor or

Vendors and/or Non-Profit Organizations for the management, operations, and/or administrative cost of implementing the Disparity Study and Implementation Commission, at a cost not to exceed \$250,000.00" by changing the authority from the Director of the Department of Public Safety or Director of General Services to Director of City Planning.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

MR. FERLO PRESENTED:

No. 1742 An Ordinance Supplementing the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, Section 201, City Treasurer, by adding Section 201.11, Tax Increment Financing (TIF) Registration.

Which was read and referred to the Committee on Finance and Budget.

THE CHAIR moved to suspend Rule 8 by providing for consideration of the bills only until or after the calendar day following the meeting in which the bill were introduced so the bill will be on the agenda this Wednesday.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

That concludes our Presentation of Papers, any matters under Unfinished Business or Reports of Special Committees?

Hearing none, moving to Reports of Committees. Committee on Finance and the Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman.

REPORTS OF COMMITTEES

MR. UDIN PRESENTS:

No. 1743

Reports of Committee for Finance and the Budget for March 12, 1997 transmitting sundry resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

No. 1661 Resolution authorizing and Directing the Office of the Mayor to initiate and operate the City of Pittsburgh Economic Development Marketing fund, dedicated to attracting jobs and businesses to Pittsburgh, at a cost not to exceed \$75,000.00.

Also,

No. 1685 Resolution providing for the issuance of a warrant in the sum of \$17,500.00 to Angel Concrete Pumping and Construction Company, Inc. c/o Kuhn, Engle & Stein, Trustee Account, 5 Gateway Center, Suite 625, Pittsburgh, PA 15222, in full and final settlement of the action filed at GD91-21095 alleging delay damages due to contract revisions during

construction of the River Safety Center in 1989.

Also,

No. 1686 Resolution authorizing the Mayor, the Director of Finance and the Director of Parks and Recreation to execute a lease with the Spring View Athletic Association for certain property owned by the City of Pittsburgh and the Three Taxing Bodies adjacent to the Spring Hill Playground in the 26th Ward.

Also,

No. 1713 Resolution providing the issuance of a warrant in favor of Lexis-Nexis, P.O. Box 7247-7090, Philadelphia, PA 19170-7090, in payment for computer user research services for City Council, at a cost not to exceed \$1,167.44, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Index Code 100115, Account No. 525500, Fund 1000, Sub-Class, 150, Organization No. 101100, Budget Year 1997.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Councilman Cohen, did you want to say something?

Mr. Cohen:

I would like to ask that the comments be brought forward on Bill No. 1661 to attract jobs and businesses to our region.

The Chair:

Roll call vote.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Ferlo
	(Pres't)

NOES:

AYES: 8 NOES: 0

BILL NO. 1685

AYES: 7 NOES: 1

The Chair:

All of the bills having received the legally required number of votes have been approved finally.

Committee on Public Works,
Water and Environmental Services,
Councilman Ricciardi.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you Mr. Ricciardi.

MR. RICCIARDI PRESENTS:

Bill No. 1744

Reports of Committee for Public Works, Water and Environmental Services for March 12, 1997 transmitting sundry resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

No. 1659 Resolution repealing Resolution No. 577 approved July 31, 1996 granting unto Edward and Cecilia Wlodowski, 2837 Sumner Street, Pittsburgh, Pennsylvania 15203, their successors and assigns, an encroachment to construct, maintain and use at their own costs and expense, a fence on a portion of the right-of-way on Flynn Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

Also,

No. 1682 Resolution amending Resolution No. 540, effective July 31, 1996, entitled, "Providing for a Contract or Contracts or the use of existing contracts, for the purchase of Play Equipment and Play Area Safety Improvement including the cost for the supervision of the installation of the equipment for Fort Pitt School Playground, and providing for the payment of the cost thereof" by decreasing the total allocation by \$1,014.00 from \$18,000.00 to \$16,986.00, chargeable to and payable from Code Account 618 to Code Account 264.

Also,

No. 1683 Resolution providing for a Contract or Contracts or the use of existing Contracts for street resurfacing

programs such as ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling and truck rental, brick and blockstone repairs, concrete slab replacement, parks related asphalt work at various locations throughout the City of Pittsburgh, at a cost not to exceed \$800,000.00.

Also,

No. 1684 Resolution providing for the use of \$120,000.00 in the Wall, Step and Fence Program. Moneys is to be used for repairs and maintenance of Walls, Steps and Fences in CD neighborhoods throughout the City. Previous moneys will be used in non-CD areas, providing for the payment of the cost thereof.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Ms. McDonald	Mr. Ferlo
	(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

All of the bills having received the legally required number of votes have been approved finally.

Committee on Planning, Zoning and Land Use, Councilman Onorato.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

MR. ONORATO PRESENTS:

Bill No. 1745

Reports of Committee on Planning, Zoning and Land Use for March 12, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1630 Resolution providing for the implementation of a Residential Parking Permit Program (RPPP) Area "Z" in the Squirrel Hill North community, Council District 8 pursuant to Pittsburgh Code Chapter 549.

The Chair:

You have heard the reading and title of the bill, is there any discussion?

Councilman Cohen.

Mr. Cohen:

Mr. President, I'd like to thank Council for it's support on this bill. The Residential Permit Parking Program was intended to for precisely this purpose which is, when you have institutional expansion and there are either employees, or in this case students and employees, parking on the border streets that the residents be able to reclaim their streets. This is a very narrow permit parking area. It's only Murray Hill and a small portion of Fair Oaks. I think it's very appropriate for them to have permit parking because of Chatham College's expansion. That having been said, as I said at the public hearing and I'm following through on a working group with Chatham College to make sure that their expansion is done in harmony with the neighborhood. We have a meeting tomorrow morning and a follow-up working group meeting after that. I'm sure that that issue will come back to Council. But, I believe that we could be pro-active and not reactive on the larger issue of Chatham College's expansion. They certainly are an asset to the City of Pittsburgh and to the region, but they need to also work with the neighborhood. So, thank you for your support.

The Chair:

Thank you Councilman. Any other discussion?

The Chair:

I'm voting in favor of this Residential Sticker Parking not only because of the eloquence of the residents who came down here and spoke all unanimously in favor of this expansion of the Residential Sticker Parking and certainly the stories that they told about

the insensitivity of this institution. I hope they'll be addressed by the leadership of the college that was here at the hearing that day and others who are responsible. It seems as though, in addition to the Sticker Parking Program, that there's a level of inactivity or assistance on the part of the college to address some of the communities concerns for everything from litter and cleanup to impact issues. I know Councilman Cohen has been working on this. I applaud his leadership in helping to interact and provide some interface between the institution and the community.

I do, however, to be fair to the college, I think they have, apparently, several request before the Board of Adjustments for service lots. I know if the lot is, obviously, next door to a home that there are concern about shrubbery and landscaping. But, to the extent that they service lots, I would hope that they'll be allowed to maximize the amount of available parking on those lots. There was one indication that because of the board action, they may have to go from 65 down to 40 spaces. I don't understand that entirely. I hope that can be addressed. I think, as Councilman Cohen pointed out, there's going to be a clear immediate impact by at least three streets adjacent to the proposed sticker area "Z" that we're authorizing today. I hope that there'll be immediate follow-up on getting those streets addressed. I know Councilman Cohen has addressed that issue to his credit. But, I think there's definitely going to be a domino affect. We've seen that before around CMU Campus in Councilman O'Connor's district. It just seems like it never ends. These three immediate streets are going to be hard hit once those signs go up. I'm sure people are going to park up there and take the pat

bus down to Oakland. I just hope that that can be immediately addressed also.

Councilman Ricciardi.

Mr. Ricciardi:

I find your remarks very interesting Mr. Ferlo because as you've stated in the past, permit parking, I don't believe, and I think you've stated in the past, is not really the solution to help neighbors and help residents find parking and even the business community. I think it has to be the last resort, hopefully, in this case, too. I was at the table during discussion, however, I didn't follow-up on some of my questioning, Mr. Cohen. But, I realize even in the South Side where some people believe we need permit parking, we've been able to thus far not have permit parking because we've looked at other resolutions to it. I think it goes back to what you've stated in the past, Mr. President, and maybe this Body and maybe sometime that a parking taskforce needs to be convened on the City level, but then break it down by neighborhoods because I'm not comfortable with permit parking. The real problem is and let's state it here, it's not only a hassle for residents and not only a times detrimental to the business community and very hurtful to institutions, but if not properly enforced, it really doesn't mean anything. So, I welcome those remarks you've just made Mr. President. I still remember what you've always stated in the past regarding permit parking.

The Chair:

Thank you. Any other discussion? Hearing none, the bill is now ready for final vote.

If you're in favor of the passage of the bills, vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

Excuse me, Mr. O'Connor.

Mr. O'Connor:

We had, for Dan to look at, I agree with everything you and Mr. Ricciardi said. I'm a big advocate against permit parking and I believe in this situation it the last resort and there's no other alternative. But the Rehabilitation Center in Squirrel Hill has a shuttle and they have some off street parking in Wilkinsburg. There may be ways to team up with them, the employees and teachers of the University because it is a drastic problem in our area, Squirrel Hill and Shadyside. People are parking there taking the bus downtown or to Oakland. So, we live with the problem. Again, I would encourage the Planning Commission to come up and study other cities. There must be other alternatives better than this temporary fix and it usually spreads like a cancer. Again, I'm supporting this bill, I think Mr. Cohen has done a nice job because of the situation. It's a shame that it always gets to this point. I don't why we can't resolve these things sooner. I would look for Planning to really look into this and help us as Mr. Ricciardi mentioned on a citywide issue.

The Chair:

I don't want to belabor the point, but part of the problem is going back 20 years, the previous City Council 20, 15, 10 years ago and Planning Commissions and Zoning Administrators. Unfortunately, they did not require, when there was major institutional expansion, they did not

require specific parking arrangements. A lot of times expansions, especially in the Oakland corridor and other large hospitals and around the City and Universities, expansion took place without the specific requirement as a conditional use for either employee parking or the deal with the impact. So, basically, approvals were given and expansion took place to the credit of our institutions, but the impact issues were not addressed. Now, we're 15 years later and we're beginning to see the problem all be it the last resort of Residential Sticker Parking. Legally, unfortunately, we can't go back and open up those conditional uses and re-require them to come up with some adequate parking. But, it still goes back and Councilman Onorato raised this point in the budget, we're putting the burden on the \$20 dollars for the residents, which I voted against. I still think it should be \$10 dollars. But, his point was well taken. The institutions really are getting off the hook here and they really helped create the problem with inadequate employee parking and the impact issues.

Councilman O'Connor.

Mr. O'Connor:

You want to see sad is, you go to Schneley Park which is a beautiful park for people to enjoy and it's almost a parking lot. It's the park between the people that work in Oakland, the students at CMU and Pitt. It's really not a beautiful park with cars all over it.

The Chair:

Councilman Ricciardi and we'll let Mr. Cohen have the final word.

Mr. Ricciardi:

I'm know we're taken it away from the Resolution at hand, but Mr. President your comments are right on point. We should go to another step and show the unfairness of the entire system whereas an institution or even a business corridor do not have to supply parking. You talk about the small resident or the resident in the neighborhood that decides to have another occupancy and goes to two units. They have to go before the board and provide parking for both of their units. That's really the unfairness of the system.

The Chair:

Councilman Cohen.

Mr. Cohen:

I absolutely agree. That's really what we should focus on when we have this post-agenda. Councilman Ricciardi, I'll look forward to working with you to set that up because I think we need to look at the whole issue, citywide. What it comes down to really is the institutions that are expanding and many of these institutions are important economic generators from the City. But, they have to take some responsibility for that expansion and, frankly, they have not yet. I happened to be at a debate the other night and we had audience participation and one of the residents in Bloomfield stood up and said, why don't we have the hospitals, in this case in Bloomfield, West Penn and St. Francis, assume a portion of the cost of permit parking. Frankly, I think it's a good idea because we have to have the institutions who are gaining from that expansion to at least take some responsibility. That's an issue that I'd like to bring forward when we have the citywide debate. At the same time, permit

parking, even though it's a two edge sword, is helpful to some people. Ask any resident in Central Shadyside and they'll tell you that when permit parking came in in Central Shadyside they were able to reclaim their streets. The same is going to happen here on Murray Hill. Is it the ultimate solution, absolutely not, but it sure beats the current situation.

The Chair:

Roll call vote.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Ferlo

(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bill having received the legally required number of votes, have been approved finally.

Committee on Housing, Economic
Development and Promotion,
Councilwoman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTS:

Bill No. 1746

Report of Committee on Housing, Economic Development and Promotion for March 12, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1679 Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Department of Housing and Urban Development, for a grant or grants in connection with Referral of Housing Discrimination Charges (and related activities), HUD/FHP Project, providing for the execution of a Grant and for the filing of requisitions and other data; approving the HUD/FHP Project.

The Chair:

You have heard the reading and title of the bill, is there any discussion?

Councilman Ricciardi.

Mr. Ricciardi:

Thank you. Right before this, I had a chance to briefly speak to Valerie McDonald regarding the bill. Unfortunately, and I apologized last week, I had a few constituents from the Allentown neighborhood visit me and I was away from the table during this discussion. Maybe either Ms. McDonald or someone else can focus in on the bill once again and tell me, exactly, what this is. I believe there is some correspondence from the Human Relations Commission

which, unfortunately, I did not review and I'm not even sure if I received it.

Ms. McDonald:

Councilman Udin had also consulted me as Finance Chair as to the purpose of this bill. It's an annual piece of legislation to recoup funds. I believe that the Commission on Human Relations is the immediate group that pursues re-cooping a lot of these funds under Housing and Urban Development. Councilman Udin may want to comment as Finance Chair since it kind of overlaps as far as I can see.

Mr. Ricciardi:

I just need to know re-cooping funds from which source.

The Chair:

As I stated at the last meeting, basically, as you know, we budget and to the credit of the Human Relations Commission, they receive reimbursement from the Federal HUD Agency for their housing discrimination ward. For each compliant they file and resolve, they're actually paid a fee. It's roughly anywhere from \$20,000.00 to \$40,000.00 a year. That is part of their annual budget allocation in addition to CD dollars regranted and operating dollars. They have not benefited from this income for the last couple of years because of the substantial equivalency requirement, if you remember, not finally getting approved and adopted. That is now moving along. So, I believe that they are, once again, eligible to receive this money which they get reimbursed for both their employment discrimination work and their housing discrimination work.

Mr. Ricciardi:

So, it's the kind of question you've received throughout the years, that they were supposed to make some technical changes or wording changes?

The Chair:

We're still waiting for final approval on that, but, yes, they have done that and they've been approved by HUD and, indeed, now they can get back with the program of getting this income. They've been out \$30,000.00 to \$40,000.00 a years for the last few years. That's what the bills is.

Any other discussion? Hearing none, roll call vote on the bill.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Ferlo
	(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

All of the bills, having received the legally required number of votes, have been approved finally.

That does just bring up a point, technically. When there are bills submitted like this, it's incumbent upon the Director and/or the Finance or Budget people who sends over the bill or Mr. Morrissey from the HRC to communicate

to Mr. Udin or whatever the appropriate committee is, Councilwoman McDonald in this case, to let us know exactly what the resolution is.

Committees on Lands, Buildings and Procurement, Councilman Hertzberg.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you.

MR. HERTZBERG PRESENTS:

No. 1747

Report of Committee on Lands, Buildings and Procurement for March 12, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1678 Resolution authorizing a Cooperation Agreement or Agreements providing for the transfer of the amount not to exceed \$150,000.00 to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by the City of Pittsburgh Departments and Authorities.

The Chair:

You have heard the reading and title of the bill, is there any discussion?

Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. I just wanted to inform Council of the follow-up on a Committee that I put together called the Vehicle Taskforce. We've met on a monthly basis. This is for police vehicles, of course, with the Chief of Police, Robert McNeilly, the Head of Fraternal Order of Police, Smokey Hynes and also the Head of General Services, Deborah Miscovich and myself. If you recall, we had a post-agenda on this issue a few months ago and all of us really complained legitimately about the lack of vehicles on the streets and the bad shape that many of our police vehicles are in. I'm happy to report that 43 vehicles have now come in, they're being upgraded for police vehicles, that includes everything from lights, decals, etc. Twelve of them are on the streets. The other 31 are going to be on the streets within the next week and a half. This particular bill is for four wagons. We, absolutely, need even more wagons than this, but this is, at least, a good start. Our wagons are in terrible shape. Many of them are over 100,000 some even over 140,000 miles on them. But, this bill is absolutely critical and I think we're finally getting a handle on the vehicle issue so that eventually we'll be able to replace one-third of the police vehicles every year. So, that every three years we have a turnover. I think that's what all of us want to see. Thank you.

The Chair:

Thank you. Hopefully, they won't all be wrecked in the next five days. Councilman Udin.

Mr. Udin:

I would hope that the committee would continue to meet especially to

consider the upgrading of vehicles in addition to just more vehicles so that the vehicles that we purchase are upgraded in terms of their capacity to hold computer equipment, cameras, the onboard, dashboard kind of cameras, and other necessary equipment for today's policing. Has the Committee looked at that as well?

Mr. Cohen:

Councilman they have not looked at the camera issue. I think the urgent issue was making sure that we get some more police vehicles on the street, but that is an important issue and one that I certainly would be happy to bring up. I think we also have to look at the expense of the camera themselves and the installation of them. I think that's an issue for this Council to address. I'll certainly bring it up at the vehicle taskforce.

The Chair:

Any other discussion?

I'm voting in favor of this, obviously, because the equipment is badly needed for police bureau. We need to come up to our strength with the proper number of vehicles especially at the zone level. But, I would ask the Administration, given the large amount of vehicles purchased as well as the cost, I would ask the Administration to consider some type of a pilot program where maybe a percentage of these vehicles could be assigned to a specific officer at the zone level. This is something that's done in other communities. I think it would add to the life and viability of the vehicle. I think this has gotten to be an extremely expensive part of the City budget and put the leasing authority obligations. This is not to, in anyway, criticize any police officer who's

obviously have a tough job and I'm sure they're doing the best they can do in the driving of that vehicle. But, we're talking about millions and millions of dollars that's been expended for vehicles.

I know that in other communities where vehicles have been assigned, it's been shown and proven that the vehicle has a much longer lifespan. I don't think it would be a bad idea to try a pilot program. I would ask that the Administration and the Chief would consider that if it doesn't in anyway violate the Collective Bargaining Agreement and if it's something that the FOP would support. I would like to suggest that there be some kind of a pilot program regarding the actual assigning of some of these new vehicles to specific officers at the zone level.

Any other discussion?
Councilman O'Connor.

Mr. O'Connor:

There's been a lot of programs as far as the maintenance and I would hope that this Administration looks into the up keep of the day to day maintenance so that they don't cut anymore mechanics. The garage is very thin now. If you're going to buy new equipment, you want to make sure the oil is changed and it will last three to five years. They're building much better cars now. I also liked what you just said about assigning officers to one. I found a truck on fire on the West End Bridge, a van, there was no one around. It busted into flames and I couldn't see the driver. I pulled up and stopped and a police car came right behind me. We jumped out and opened the door. I could see no one was in there. The officer ran to get his fire extinguisher and there wasn't

one. The second police car came. We asked the officer and he said, yeah, I have one. He ran in the trunk and got the extinguisher and it was empty. The third police car did have one. Fortunately, no one was in there and it wasn't a dangerous situation. The fire trucks were late because they were all downtown, that was the whole other story. My point is, we need to better supervise these and if one person was in charge of that, he or she would realize it or have a check list. When you're just jumping in and out of cars, no one's taking the pride and care. I really would support what you said. I've had that suggestion from some officers. I don't know if the taskforce is looking into it or not. It makes the drivers more responsible. They would be committed to their vehicle. I would urge something like that to happen. Mr. Cohen's on the Public Safety and I would urge them to look into that.

The Chair:

Councilman Udin.

Mr. Udin:

The argument that we get against that proposal whenever it comes up is one of cost. If we're going to do a kind of a pilot program, I would suggest that a cost benefit analysis be built into the pilot so that we could actually see what the cost exchange is. The way we've been doing it is very expensive too. We never get any specific dollars as to what the tradeoff is and I'd like to see that kind of analysis included.

The Chair:

If there's no objection, we'll send this along as kind of a request for the

Administration to give consideration to discussion that we just had. And, I'll ask Councilman Cohen, Chairman of Public Safety, to follow-up on it.

Any other discussion? Roll call vote.

AYES:

Mr. Cohen	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Mr. O'Connor	Mr. Ferlo
Mr. Onorato	(Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

The bill having received the legally required number of votes, have been approved finally.

Committee on Engineering and Construction, Councilman O'Connor, Chair.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you Councilman O'Connor.

MR. O'CONNOR PRESENTS:

Bill No. 1748

Report of Committee on Engineering and Construction for March 12, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1651 Resolution providing for a three-party Cooperation and Access Agreement by and among the City of Pittsburgh, the Pittsburgh Cultural Trust, and the County of Allegheny, in connection with the construction of the Lower Allegheny Riverfront Park.

Also,

No. 1652 Resolution providing for an Agreement of Cooperation with the Pittsburgh Cultural Trust in connection with the construction of the Lower Allegheny Riverfront Park, bounded by the Allegheny River on the North and the Tenth Street by-pass on the South and providing for the payment of the costs thereof.

Also,

No. 1653 Resolution amending Resolution No. 1018, effective January 1, 1997, entitled, "Adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program and approving the 1997 through 2002 Capital Improvement Program", by creating a new line item, Lower Allegheny Riverfront Park.

Also,

No. 1680 Resolution providing for a Contract or Contracts or the use of existing Contracts and/or Agreement or Agreements or the use of existing Agreements in connection with the Wall Step and Fence Program at various areas throughout the City and providing for the

payment of the cost thereof, at a cost not to exceed \$469,518.53.

The Chair:

You have heard the reading and titles, is there any discussion? Councilman Udin.

Mr. Udin:

On Bill 1651, I'm pleased to be able to be associated with the collaboration of the Cultural Trust and the City and the County in the construction of the Lower Allegheny Riverfront Park. It's an unique collaboration that provides the City with a new park on the Riverfront without costing the City taxpayers funds. The funds are coming from the State and from the Cultural Trust. It's a good deal and I'm pleased to see it happen in my district. Thank you.

The Chair:

Any other discussion? Hearing none, roll call vote.

If you're in favor of the passage of the bills, vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

All of the bills having received the legally required number of votes have been approved finally.

That concludes our Reports of Committees. Under Motions and Resolutions, the Chair Presents.

MOTIONS AND RESOLUTIONS

MR. FERLO PRESENTS:

No. 1688 Resolution reappointing Louis Coles as a member of the City of Pittsburgh Magistrate Court, term to expire December 31, 2000.

Also,

No. 1689 Resolution reappointing Moira Harrington as a member of the City of Pittsburgh Magistrate Court, term to expire December 31, 2000.

The Chair:

You've heard the reading of the appointments, what is the pleasure of the Body? Councilman Udin.

Mr. Udin:

Mr. President, we have reviewed both the resumes and personal interviews before the Standing Committee last week of two fine public servants. I was very pleased with their responsiveness in the interview and I congratulate the Mayor on two fine appointments. I look forward to voting positively on the motion.

MR. UDIN motioned to approve both appointments.

The Chair:

Thank you Councilman. Your motion is to approve both appointments?

Mr. Udin:

Yes, it is.

MS. MCDONALD seconded the motion.

The Chair:

Any other discussion or comments? Again, I think we all join in thanking the Administration, the Mayor, specifically, for these re-appointments. I'm very pleased of the leadership that two have demonstrated on the bench.

Any other comments? Roll call vote on the appointments.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo

(Pres't)

NOES:

Mr. O'Connor

AYES: 8 NOES: 1

The Chair:

The appointments have been confirmed. Thank you.

Any other matters to be brought before the Body under Motions and Resolutions? Councilman Cusick.

Mr. Cusick:

I hope it's appropriate at this time. First of all, a very important piece of legislation was introduced by the Administration today and the Department of Engineering and Construction which was to deal with Phillips Park. As this Council has dealt with in the past, and my colleague Councilman Ricciardi, early on we had held a Phillips Parks post-agenda to deal with exactly what we could do to help build and see Phillips Park grow. Last week we mentioned two representatives that have been phenomenal in bringing things to Pittsburgh and making things happen in the State Legislators, Don Walko and Harry Readshaw.

Today I'm here again to congratulate and commend Representative Readshaw for being able to bring back to Pittsburgh \$1.1 million dollars from the Pennsylvania Department of Community and Economic Development for the expansion of Phillips Park. The City will incur the soft cost. This is such a big boost for all of South Pittsburgh. I'm happy to work with Representative Readshaw on this. I hear he's done a number of different things for the community. We're also going for a grant with the Department of Community and Economic Development for \$375,000.00 to expand the volunteer field in the Carrick area. I think that the good work that he goes to Harrisburg and continues to do for all of Pittsburgh and especially for the communities of Carrick and other south communities, I think he needs to be commended. Him being the junior representative up there, I just can't say enough of how grateful, not only I am but the community is, for his leadership.

Now, it's the City's job. We're going to get these monies from the State. We have to work diligently to make sure that the expansion program of Phillips Park and the new gym becomes a reality and happen as quickly as possible so that the community can join in on it.

I think when things like this is going on, we have to ask ourselves, are we doing enough. I look at Phillips Park as being a park of some sort of a regional facility for all of south Pittsburgh. I hope in the near future that we can start some dialogue with the regional assets to make it just that because we in south Pittsburgh have not a regional park or a park that we can call regional. The size is somewhat just under what the regional assets district allows. I think there should be some exceptions made and help us to continue the improvements of Phillips Park. So, I'll be moving forward and working, hopefully, with people like Harry Readshaw and Councilman Ricciardi to do just that. Again, I'm so happy to be a part of this and work with Representative Readshaw and applaud the Mayor in his efforts for going after monies that are ours and should be brought back to Pittsburgh. These gentlemen have done their work in this regard. I think you for the time.

The Chair:

Any other discussion?
Councilman Ricciardi.

Mr. Ricciardi:

On this same issue, I think Councilman Cusick has touched upon all of the right points. I'd just like to commend and thanks the friends of the Phillips Park and also Councilman Cusick for all their fine work and leadership. Mr.

Cusick is right, Phillips Park has become a regional Park and that's why the guidelines for the regional asset district need to be changed, so we can be funded. There's no denying the fact that it serves Overbrook, Carrick, Bonaire and to a certain extent, we're very pleased that it serves two of our suburban neighbors, Mt. Oliver Borough which is in the middle of the City and also Brentwood. I'm receiving dozens of calls on this. People are ready and willing and looking forward to the improvements. But, this might be a good time to say, and correct me if I'm wrong Mr. Cusick, the dollars that have been promised by State Government have yet to arrive in the City.

Mr. Cusick:

This action that we will take here today will allow the \$1.1 million dollars for the expansion of Phillips Park to happen and become a reality. The dollars, I think that you're talking about Mr. Ricciardi, are those for Volunteers Field which is very important improvement. We just passed the easement last week with the Prince of Peace Parish. We, now, have to get the State to sign off on that and we're waiting for that to happen. We have commitments in Harrisburg on that. I think that what we're seeing here is a little bureaucracy clouding the way, but our hopes are is that that's going to become a reality. With leadership like Harry Readshaw in Harrisburg, I think that's going to happen. I have no doubt in my mind. What we need now is for the state for move on this and that we don't move to slow. I realize we have a undermanned Engineering and Construction Department or even a section of that department that is very undermining in regards to architect. We may even have to consider going out on this one. We cannot allow these dollars

to sit around and just gather dust. This is important to all, and I can't say this enough, to all of south Pittsburgh. As Mr. Ricciardi said, I would only disagree with you on one point Mr. Ricciardi, not only Mt. Oliver, Brentwood, White Hall, Baldwin, they all have reaped from the benefits of Phillips Park and the programming that the Phillips Park Advisory Committee has put together. I don't think that should stop, I think we should expand on that. All those neighboring communities plays such an important part in the business and the vitality of the community in whole. I would only hope that the Mayor move diligently on this and that we expand on that from here. We ask the Regional Assets District, maybe they don't have to change to rules, but maybe they have to make some consideration and some adjustments, so that south Pittsburgh, too, can have a regional park like all the rest of the communities of Pittsburgh do.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I certainly want to commend you and Mr. Readshaw. I think you're absolutely right, the South Hills has been ignored. I've been touring up there. They haven't got the services they deserve. Their parks are in shambles. I think it's a disgrace that the City has ignored them for so long. A lot of services need to be up there. I would lobby with you, Mr. Cusick, for Regional Asset money to help not only that park, but you may identify another one in the South Hills. It's such a heavy populated place, a lot of young people, and the schools are growing and you should be a part of that Regional

Asset just like the East End, Schneley Park, Frick Park, Highland and Riverview. I agree that you should be part of that. Hopefully, we can all lobby for the Regional Asset.

Mr. Cusick:

If I may have final comments. I thank you for your help and everything. But, I have to disagree with Councilman O'Connor on one point and that is, I think the parks of south Pittsburgh are doing very well. I take great pride in having being part of those improvements to a number of the parks in the Brookline and Carrick area. Yeah, we have work to do. I don't think that south Pittsburgh's been ignored in that area. I think what we need to do is continue to expand on what we have already established and continue to make that happen and that is my hope. I think if you go around the neighborhood of District 4, and I think Councilman Hertzberg would agree even in his district, you'll see that many of the parks are up to standard and up to safety and now we need to find a place where we could house all the different communities so that they can, too, join in some of the activities that other communities that all of Pittsburgh enough, whether it be in Oakland or in the East of Pittsburgh.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Obviously, I'm not going to speak for all of south and southwest Pittsburgh, but I'd just like to say that we're very pleased at District 3 that we've just opened up Grandview Park, Beltzhoover Park and we just went out to bid for Armsbe Park

and that's a total of about one million dollars right there. So, we're very proud of some of the parks that have been approved and renovated. We just had another meeting two weeks ago for Witters Park. It's going to be a very innovative plan working with the Y as a matter of fact and, hopefully, that cost is going to be in the neighborhood of \$150,000.00. So, hopefully, if we continue like that in District 3 and I'm sure all of the neighborhoods throughout the City of Pittsburgh are paralleling the same, I'm just very pleased with the improvements we've done both in my district and, hopefully, in the other districts in south and southwest. Thank you.

The Chair:

I think every colleague should take pride, along with the community in being very strong advocates for renovations and rehabing and upgrading of all of our parks systems throughout the City. I think we tried to do it in realistic of way that we can. Obviously, we have hundreds of ball fields and parks and play areas and buildings and infrastructure, but I think to the credit of this Council, more than any other previous Council along with this Administration, we've tried to make one heck of an effort in the last two years in particular. I'm sure there's a lot more that obviously still needs to be done, especially our little league fields. Part of the problem is, basically, some of our fields are so heavily used by so many different sporting teams that they can't even get onto the field, when I say they I mean Public Works and Parks, they can't even get onto the field to do the kind of work that the field needs to have done to it in each spring and early summer season. That's the particular problem I have right now at

Arsenal and Solomon Field and a few other places in my Council District. I just think we need to stay to the chorus. We've embarked on a multi-million dollar renovation and rehabing of many of our play areas. We do them better than any other municipality. I go out to other communities and none of them even have play safety service material which you know is the big ticket item, it's an expensive cost item associated with our playground rehabing. I just think we can take great pride. Obviously, there's still more that needs done, but I think we need to stay to the chorus with this Administration with the major upgrade of a lot of our play areas and park facility.

Councilman O'Connor I'll let you have the final word on this.

Mr. O'Connor:

I don't want to criticize each Councilmember, but the biggest complaints we've been getting is exactly what you said and what I meant was the fields. I coach little league and I go to all of the games especially in the South Hills and they're very busy and well used. One of the answers may be to put reschedule or better schedule not trim out Public Works people as much and try to help them with better equipment. I know some of the neighborhood things worked and some didn't work where they were pitching in. Again, it takes better management at the times, as you said, that these fields are used which is a good point. We have some problems with baseball fighting with soccer over who's going to get the field. Then, when the football practice starts. A lot of it needs a lot of work, the fences and the field.

The Chair:

Any other discussion? I submitted an ordinance today regarding this tax increment financing basically trying to put in legislative in the City code. A lot of discussion we've had over the last couple of weeks regarding Council's approval of the, so-called, tax increment financing solutions that have come before us. There's actually nothing in the City code that clearly states what the TIF is and what Council's role is. I tried to spell out, not only what our adoption of the resolution is, but also there's been a lot of concern raised about what the actual economic impact is when we approve a various TIF project, whether it be Lazarus, whether it be ALCOA, whether it the parks, or the parking lot, you name it, we've had tens of millions of dollars committed in terms of way-leigh taxes for the TIF something I very much support and, I think, to the credit of Mayor Murphy and his Administration, I think this has been an important tool in their economic development arsenal to really move this City ahead.

Part of the ordinance attempts is try to, more specifically, delineate what the economic impact is to the City and, more importantly, what specific job shop title, job classification, job requirement, hourly wages, be they union or non-union, be it retention of jobs or new jobs created, trying to get back to that theme jobs for Pittsburghers. So, the bill is submitted today in ordinance form. It will be up for some preliminary discussion tomorrow. There's no pride of authorship here. I tried to take the comments that all colleagues contributed to last week. If you have any concerns or criticisms or if there's anything you would like to see this ordinance embellish by way of Council's approval of the TIF, if you could let me

know before tomorrow or just put it in writing for tomorrow so we could more the discussion along. With that, I want to thank you.

Any other discussion or comments?

Hearing none, this legislative session stands adjourned. Thank you.

Stenotype Reporter:

Transcribed by: Lenora Johnson

MUNICIPAL RECORD

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, March 25, 1997

PRESENT:

Mr. Cohen	Mr. O'Connor
Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
	Mr. Ferlo
	(Pres't)

The Chair:

Good morning everyone. Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

The Chair:

We have some guest in the audience today that will do the pledge of allegiance, Bernard Flynn. Bernard is a student at Knoxville School located in the

3rd Council District, Mr. Ricciardi's District. He's an 8th grader. He's 13 years old. He's accompanied by his mother and father, Bernard and Darlene Flynn.

Thank you for coming here today with us.

Bernard Flynn:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all.

The Chair:

We have two Read and Adopted today, Mr. O'Connor.

Mr. O'Connor:

Ann Feeny is the President of the Musician's Union and Regina Peterson has been a member for 54 years. We're honored to have you here. Thanks for all the fine music you've played in the last century in Pittsburgh.

PROCLAMATIONS

MR. O'CONNOR PRESENTS:

No. 1749 WHEREAS, the Pittsburgh Musicians' Union has been preserving the spirit of live music through education and by providing quality live

entertainment to thousands of Pittsburghers since 1897, and;

WHEREAS, the Pittsburgh Musicians' Union has worked to protect the rights of professional musicians in Pittsburgh by fighting to ensure equitable wages and suitable working conditions, and;

WHEREAS, as part of its 100th anniversary and in celebration of Women's History Month, the Pittsburgh Musicians' Union will recognize Professional Women in Music on Saturday, March 22, by honoring thirty-six women who have been members of the Pittsburgh Musicians' Union for more than 50 years; and,

WHEREAS, these women and many others before and since, have provided us with unmatched entertainment, culture, and a legacy of excellence that is known throughout the nation.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Pittsburgh Musicians' Union and congratulates its special honorees for their outstanding service to the professional musicians of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, March 22, 1996, to be "Pittsburgh Musicians' Union Day" in the City of Pittsburgh.

MR. ONORATO motioned to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Ann, as President would you like to come up and tell us a little bit about what you've been doing in the last 100 years.

Ms. Feeny:

I would indeed.

I haven't been providing live music in Pittsburgh for the last 100 years, but I have been an active member of this Union and this community for most of my adult life. It is my pleasure to represent the 1,200 professional working musicians in Pittsburgh. Of course, we're always looking for more.

I'm the first woman president in our 100 year history. It's been my pleasure to work much more closely with the City. I'm happy to report that yesterday I met with Rob Jacob from City Park and the Pittsburgh Musician's Union. As Administrator of the Music Performance Trust Fund in Pittsburgh, we'll be contributing about \$11,000.00 to City Parks Music Programs this summer.

So, we're proud to provide music to all of our neighborhood communities this year. If you're interested in having performances at your community events this summer, I urge all city residents to get in touch with City Parks because we are sponsoring, at least, 56 local concerts, all the noon concerts in Mellon Square and looking very much forward to a long term continuing relationship with the City of Pittsburgh.

Thank you so much for recognizing us. Any institution that endures 100 years has a lot going for it. Our biggest asset is our incredibly talented members.

This is Regina Peterson who's been active in our local for 54 years.

Ms. Peterson:

We are all so proud to Ann Feeny as our first president of the Pittsburgh Musician's Union. She is going to do a fabulous job in our office. I've been there several times and she's doing remarkably well.

The Pittsburgh Musician's Union offers hospitalization and pension plans. As Ann said, we are looking forward to having many, many more musicians join our union because it is such a wonderful organization.

Thank you.

Ms. Feeny:

You know, A Pittsburgh Press reporter said before people feel like they haven't been to a party if they can't see or hear Regina. She was everywhere.

On behalf of all our members, I'd like to present all Councilmembers with our demand live music tee-shirt and a commemorative program from our event at the William Penn where so many of our members got their start.

Thanks so much.

The Chair:

Mr. Udin.

Mr. Udin:

Yes, I just wanted to say that the Musician's Union has been very important in keeping alive the tradition of jazz in Pittsburgh. Even when I was a little kid, the Musician's Union used to operate a jazz club in the lower Hill District called the Musician's Club. It was a place where all the renowned musicians from across the country came to play. It was very important in helping keep jazz alive. Jazz is still alive today largely because of the efforts of the Musician's Union to not let it die.

So, thank you and congratulations.

The Chair:

Thank you, Mr. Udin.

Mr. Udin has one. The next Read and Adopted is sponsored by Mr. Udin and Co-sponsored by all Members of Council.

Mr. Udin:

Thank you Mr. President.

First of all I would like to thank all the Members of Council for co-sponsoring this Resolution especially Councilwoman Valerie McDonald and Councilman Bob O'Connor. When the word that the Klan first planned to seek a permit to demonstrate in Pittsburgh, Mr. O'Connor was the first one to come to me and suggest that we work together in formulating a Council response to the presence of the Klan. So, I thank you, Mr. O'Connor, for your initiative.

The Resolution read.

MR. UDIN AND ALL COUNCIL MEMBERS PRESENTS:

No. 1750 WHEREAS, the murderous lynchings of thousands of African Americans, by the Klu Klux Klan, represent the most ugly, bane feature of American history, and

Whereas, after fighting to save the Union, millions of African Americans were run off their land, disenfranchised of the right to vote and hold office, their businesses were stolen, and legal segregation became United States law, violently enforced by the Klu Klux Klan, and,

Whereas, these inhuman conditions resulted in the largest migration of human beings in the history of the world, causing millions of African Americans to flee their families, leave behind their property, abandon their newly developed culture, to seek the relative safety of "Up North", and,

Whereas, the legally codified laws of Jim Crow and the Klu Klux Klan, which continued to crush African Americans under a new kind of Slavery, existed up until out lifetimes, with despicable signs that read, "Whites Only", "Colored Only", were only recently removed thirty some years ago, yet the effects and the racist ideology of White Supremacy lingers to this day, and

Whereas, the venom of the Klu Klux Klan has been extended to include Jews, Catholics, Gays and Lesbians, and all people of color, and

Whereas, the legacy of the Klu Klux Klan has spawned thousands of

Klan-oid organizations, like the Nazis, the Aryan Nation, the militia groups and according the FBI reports, more of these hate mongers make their homes in Penns Woods, than in any other state in the nation, and are now abandoning their lairs in the woods and are approaching the cities, like Pittsburgh, with renewed boldness,

Therefore, be it resolved, the City Council of Pittsburgh, hereby goes on record as being in unison with the current refrain, "Not In Our Town", and we congratulate the Coalition To Counter Hate Groups, that has scheduled an alternative anti-Klan, anti-hate rally, and urge all right minded Pittsburghers to avoid and ignore the Klan rally on the steps of this very building and instead, join us in Market Square, at noon, Saturday, April 5, 1997.

MS. MCDONALD motioned to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Udin:

I want to also just take a moment, if I may, colleagues to one announce that since the site of the anti-Klan rally in Market Square is in the heart of the 6th Council District, I invite all of my colleagues to join in with the residents of the 6th Council District who will be marching to Market Square from two different points, simultaneous marches, within the 6th Council District. One from Freedom Corner at Centre Avenue and Crawford Street and another group will be

marching from West Park on the North Side across the 6th Street Bridge. We'll all join up at Market Square. So any of you who wish or any of the public who wish to march to Market Square on the 5th of April are welcomed to join either of those marches.

I would also finally like to point out that it's necessary that we continue to educate and to point out and to correct racist errors whether they intentional or not. I'm sure that what I read in today's editorial of the Pittsburgh Tribune Review was an inadvertent but, nonetheless, racist remark which has to be confronted and corrected each time it happens just like we're confronting and correcting the Klan.

Today's editorial begins with the sentence, "talk about the pot calling the kettle black." It goes on to criticize some controversy between the two mayoral candidates. This kind of reference is the kind of reference that continues the notion of black inferiority and white superiority.

To talk about the history of the Klan is to go back to the time when being black became something that was a scourge because that's how being able to call somebody black could become an insult. It comes out of the same racist ideology that the Klan perpetuated. There's is nothing insulting about calling someone black. The Tribute Review should know better.

So, we have to continue to correct racist jokes and racist comments whether they are meant to be innocent or funny or not. I don't find it funny one bit.

I thank all of my colleagues for joining with me in this Resolution.

The Chair:

Thank you, Mr. Udin.

Mr. Cohen.

Mr. Cohen:

Thank you, Councilman Cusick and thank you Councilman Udin.

I just wanted to show my 100 percent support for this Resolution. The Ku Klux Klan represents everything that we should oppose, that is violence, hatred and intolerance.

Some people have said and I've heard this on the radio recently, that we should just ignore them. I disagree. I think that we have to oppose hatred and bigotry in all forms. The Klan has been very powerful in the past and in regions in this country. Unless we oppose it in all forms and at times, it will gain power again. And, we can't allow that to happen.

So, I just wanted to thank you for your eloquence Councilman and I look forward to see you on that Saturday.

One thing I do want to ask is what time the march starts.

Mr. Udin:

12:00 noon.

Mr. Cohen:

Okay. Does the actual march start at noon?

Mr. Udin:

No, the march will start about 11:30.

Mr. Cohen:

Okay.

Mr. Udin:

We'll start gathering around 10:00 at both sites. We'll have some speeches, some prayer, some freedom songs, and some chants. We'll start marching toward Market Square so that we arrive about 12:00 noon.

Mr. Cohen:

Thank you.

I look forward to joining you.

The Chair:

Let's go down the line.

Ms. McDonald.

Ms. McDonald:

I just want to applaud the drafting of this Resolution. Sala, if there's anybody that has such lively language in here -- I mean, some of this stuff is great. To go back to their layers in the wood is perfect, perfect. I really wish they would never have surfaced from the layers in the wood to the City of Pittsburgh, but unfortunately even bugs to that. So, we'll just have to deal with it.

I would also urge the public to be involved with the marches and to stay away from the City County Building. This is what they want. Just like a bunch of little cry babies don't give them what they

want. Let them sit there and cry and scream and whatever they want to do. Treat it as such. Rise above all that stuff and go to Market Square and be adults, be civil and be human beings. State what we want, that we want unity here in Pittsburgh, that we preach and not hate, and that we preach tolerance and not intolerance.

I look forward to being there. I'm glad to see that Councilman Udin is helping to organize these marches. I love the Resolution.

Again, if anybody in the City really wants to know what to do -- it's very difficult to ignore something that is so ugly. It's hard to ignore that. But, I'm urging everyone to please ignore it and go to Market Square and make a statement that is positive. Stay away from the City County Building.

The Chair:

Mr. O'Connor.

Thank you Councilwoman McDonald.

Mr. O'Connor:

As a coincidence, I can tell you too about it. About six months ago, I was called to another city to defend the Christmas Tree of Menoir that was asked to be taken out of that city. Because of Pittsburgh having a landmark decision that we were one of the only ones -- we had that right by the Supreme Court.

As I was speaking that we had no problem with it and it really brought us all together, one of the questions by the

people who wanted to remove them and one of the Councilmembers asked me, what would you do if the KK -- one of their fears was the KKK would want a display next. They asked me what would you do if the KKK wanted to be on your steps. My answer was, not in my town, they would never do that in my town. Here we are six months later and they are on the steps on my town and I don't like it.

Let's use that as a wake up call for all of us to work together to take all racism out that the Ku Klux Klan stands for which is a very part of my family. They're against Jews, Catholics and African Americans. Everything I stand for, they're against. I wish they weren't here, but they are here.

Again, hopefully, everyone will ignore them on these steps and support the march and rally. Let's all work together so that they won't be back.

The Chair:

Thank you Councilman O'Connor.

Councilman Onorato.

Mr. Onorato:

I would just like to add all of us here being elected officials value the great right in the Constitution of free speech. Unfortunately, one of the burdens that come with that is that hate speech, unfortunately, has the same opportunity to get out there a speak. We have to defend the right of everybody to speak so that no good speech is denied.

Unfortunately, we have a country also where we don't want censorship. But,

what I would ask for the news media is -- that they are allowed to internally make an editing decision. I would hope that they would lead the cameras away from this rally and our rally, keep them both off the pages because this is going to play right into the Klan's hands.

Anytime I've seen this controversy in the last two weeks, it's been frustrating with me sitting at home thinking that there were, what, three idiots in front of the City County Building being televised into how many millions of households because of the cameras and the controversy that surrounds it. The best thing that can happen is what my colleagues have asked and that is people ignoring this including the media.

I mean, no one has a constitutional right to be on television, that is a choice. We see everyday where the media makes decisions on what they want to televise and what they don't want to televise. Wouldn't it be nice for once to see that this is not worthy of the 6:00 news and that I won't have to see this and that none of us will have to see this. That would be one of the best decisions that any editor can make in this town to totally ignore this march.

Sure they have a right to speech. But, no one has the constitutional right to be on the 6:00 news and I would love to see it band.

The Chair:

Mr. Ricciardi.

Thank you, Mr. Onorato.

Mr. Ricciardi:

Thank you colleagues.

I'll be very brief. First of all, I'd like to thank Sala for drafting the Resolution. I also will be there with friends, I'm sure, from my district both at the prayer and also at the march.

I think it's going to be a very sad day in the City of Pittsburgh to see this occurring in our City, the KKK having this type of rally. But, at the same time, I think it can be very positive for the City of Pittsburgh because I really believe that the number of people that turn out in Market Square will have a positive message especially a positive message to our young people.

I also would like to say to the Murphy Administration that we do charge the Regatta for City services and we do charge many, many parades I believe including the Columbus Parade for City services. I think if there's a great cost for the City in terms of the, so-called, protection that this group is asking for I think that Mayor has to realize that he's in every position to charge and I think that's very important.

Again, I think it's going to be a sad day in the City of Pittsburgh, but I think -- Councilwoman McDonald hit it well in terms of not falling into those traps. Last Thursday or Friday I was listing to 1550 AM. I believe the host was John and I'm not sure what his last name was. But, this Mr. Foster called up and he did everything to try to beg this gentleman into an argument, into stirring out all these racial issues, but this gentleman was so classy that I wanted to write him a letter and I wish I would have, he just held back, he stayed strong and he stayed above the

fright. I think that's what Councilwoman McDonald's talking about. We're not going to let them fade us into an argument or into any type of violent behavior because we're going to be the class act. The class act is going to be done in Market Square.

The Chair:

Thank you, Mr. Ricciardi.

If I may chime in Mr. Udin. I, too, would only continue what my colleagues have already said.

I would disagree with Councilman Cohen. I think we need to ignore. But we should not ignore legally, we should exhaust every legal opportunity we have to stop them in our town even knowing that we may or probably will not win. But, we need to send a message that it is going to be difficult to do that in our town.

We also need to remember that these are not Pittsburghers, these are people from afar and outside of Pittsburgh. I would ask all as -- we had just celebrated St. Patrick's Day and we have African American parade here in the City of Pittsburgh and we have Italian Columbus Day parades and thousands of people turn out for that. I hope that these thousands of people turn out for the rally, not in our town rally, because I think that these ethnic groups need to come together and show solidarity that we will not, in any way, allow discrimination to continue to draw the line in our community.

I would hope and I would urge people to come on Saturday, April 5, 1997, at Market Square to join in with us in what

we hope will be a unity day for all Pittsburghers.

Mr. Udin:

Thank you, Mr. President.

I just wanted to, Councilman Cohen's defense, attempt a clarification. I think that what he was talking about was ignoring the rally on the steps of the City County Building, but certainly not ignoring the ugly specter of the Ku Klux Klan.

I want to thank all of my colleagues for your comments and your support. You make me proud to be a Pittsburgher and you make me proud to be among you.

Thank you.

The Chair:

Thank you.

Mr. President.

Mr. Cohen:

Very briefly on that point. I don't want to retract any of my words. My point was that we should not ignore this. That we need to have constant reminders that there is hatred and intolerance in this world and use those reminders as a means to convey a positive message. A positive message about how we need to be tolerant of everyone in society.

So, my point and a point and a point that I'm not going to move back one inch from is that, no we shouldn't ignore it but we should use it as a reminder. A

reminder that there is intolerance in this world and that we need to oppose it and we need to oppose it with a positive message.

So, for that people who are saying, ignore it. I say, absolutely not. Teach it to your children and teach your children a positive message.

The Chair:

Thank you, Mr. Cohen.

I just want to apologize. I didn't mean to change the contents or the meaning of your words.

Ms. McDonald.

Ms. McDonald:

I also think it would be worth this Council Body to engage in some type of discussion further down the way with legal counsel as to the cost that would be incurred when people do take out permits. I do know that when people take out permits for our parks, if they litter or destroy that they have to pay. There's no free be there, they have to pay for services render.

Now, here we have a bunch of out of towners coming in. We have this expensive fence that's about to go up, we have cops being there overtime, and no one gets discretionary time off. This is a major cost that is incurred to this City. I would bet it's going to cost the City hundreds of thousands of dollars for these yahoos to come from out of town and preach hate in our City.

My question is why is it that we're incurring these cost, taxpayer dollars? I don't even want them here and I have to pay for them to be here. It's a thorn in my side to even think about this. I would urge this Council Body to, at a later time, after the dust have settled hopefully it will be just that, just a little bit of dust, that there would be no major occurrence, is to discuss when people do take our permits, very controversial permits as such for no good reason at all, if there is a cost that is incurred there need to be some type of recouping of funds. These are taxpayer dollars that are being spent on behalf of out of towners coming in to preach hate, that's the bottom line.

If we can charge people to use our parks and our recreational facilities, charge them for clean up, we can charge major parade organizers for inkind services, for public safety services or blocking of streets, I don't understand how these people can come in and cost taxpayers hundreds of thousands of dollars and we don't charge them.

The question is are we going to charge them? It really needs to be a topic of discussion because we're wasting people's money.

The Chair:

Thank you Councilwoman McDonald and thank you. I think all of Pittsburgh thanks you Councilman Udin and all of Council for bringing this Resolution forward.

If there's no objection, we'll move to Presentation of Papers.

In the Committee of Public Safety,
Mr. Cohen.

Mr. Cohen:

No papers this morning, Mr. President.

The Chair:

Councilman Cohen for Mr. Cusick.

Mr. Cohen:

No papers for you either Mr. President.

The Chair:

In the Committee of Parks,
Recreation and Youth Policy, no papers.

In the Committee of Lands,
Buildings and Procurement, Mr. Hertzberg.

Mr. Hertzberg:

Mr. President Protemp.

The Chair:

Mr. Hertzberg, thank you.

PRESENTATIONS

MR. HERTZBERG PRESENTED:

No. 1751 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, entitled "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984 (908

Lindenwood Drive, Council District 2)
(SPONSORED BY MR. HERTZBERG)

Which was read and referred to the Committee on Public Works, Water and Environmental Services.

MR. HERTZBERG moved to suspend Rule 8 so that this Bill will be on our agenda tomorrow.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Also,

No. 1752 Resolution amending Resolution No. 542, effective July 31, 1996, entitled "Providing for a contract or contracts or for the use of existing contracts for HVAC modifications in the Department of General Services, Bureau of Cable Communications, and providing for the payment thereof at a cost not to exceed \$67,000", by increasing the amount of the resolution to \$109,000.00, chargeable to and payable from the Community Communications Trust Fund (CCTF), Index Code 250555, Fund 2815, Organization 124000, Sub-Class 150, 1997, Account 540610, Miscellaneous Services Department of General Services, Bureau of Cable Communications.

Which was read and referred to the Committee on Lands, Buildings and Procurement.

The Chair:

The Committee on Housing, Economic Development and Promotion, Councilwoman McDonald.

Ms. McDonald:

No new papers, Mr. President Protomp.

The Chair:

Thank you, Councilwoman.

Committee on Engineering and Construction, Councilman O'Connor.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you, Councilman.

MR. O'CONNOR PRESENTED:

No. 1753 Ordinance amending the Pittsburgh Code at Title 7, Article VII, Procedures, Chapter 161, Contracts, by adding a new section, Section 161.30, Natural Gas Procurement, which will require the Mayor and the Director of General Services to advertise and accept proposals from qualified bidders to provide natural gas for a term not to exceed four years, pursuant to provisions enumerated in the City's Home Rule Charter at Article V, Chapter 5 and, the City Code at Article VII, Chapter 161.
(SPONSORED BY MR. O'CONNOR)

Which was read and referred to the Committee on Lands, Buildings and Procurement.

The Chair:

In the Committee on Planning, Zoning and Land Use, Mr. Onorato.

Mr. Onorato:

Mr. President Protemp.

The Chair:

Thank you, Councilman.

MR. ONORATO PRESENTED:

No. 1754 Resolution amending Resolution No. 99 effective March 14, 1995, entitled "Providing for an Agreement or Agreements or use of existing Agreement or Agreements and/or Contract or Contracts or use of existing Contract or Contracts and providing for the purchase of equipment and material in connection with the Rehabilitation of Existing Play Areas and providing for the payment of the costs thereof," by decreasing the total project allocation by \$50,000.00 from \$1,507,453.04 to \$1,457,453.04. (SPONSORED BY MR. ONORATO)

Also,

No. 1755 Resolution providing for an Agreement or Agreements or use of existing Agreement or Agreements and/or Contract or Contracts or use of existing Contract or Contracts and providing for the purchase of equipment and materials in connection with the Rehabilitation of Marmaduke Park and providing for the payment of the costs thereof, at an amount not to exceed \$50,000.00. (SPONSORED BY MR. ONORATO)

Where were read and referred to the Committee on Engineering and Construction.

Also,

No. 1756 Resolution further amending Resolution No. 973, effective January 1, 1995, entitled, "Adopting and approving the 1995 Capital Budget and the 1995 Community Development Block Grant Program and approving the 1995 through 2000 Capital Improvement Program" by decreasing a line item and adding a new line item. (SPONSORED BY MR. ONORATO)

Which was read and referred to the Committee on Housing Economic Development and Promotion.

MR. ONORATO moved to suspend Rule 8 so that all Bills may be put on tomorrow's agenda.

MR. UDIN seconded the motion.

Which motion prevailed.

Also,

No. 1757 Resolution authorizing the City of Pittsburgh to submit a grant application to and execute relevant agreements with the Pennsylvania Department of Conservation and Natural Resources under the provision of the Keystone Recreation, Park and Conservation Fund Community Grant Program, estimated cost of the plant is \$120,000.00.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

The Chair:

In the Committee of Public Works, Water and Environmental Services, Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. Chairman.

The Chair:

Mr. Ricciardi.

MR. RICCIARDI PRESENTED:

No. 1758 Resolution providing for a contract or contracts or use of existing Contracts, for street resurfacing programs such as ultra thin hot mix, asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling and truck rental, brick and blockstone repairs, concrete slab replacement, parks related asphalt work in CD areas throughout the City of Pittsburgh and providing for payment thereof, not to exceed \$1,000,000.00 chargeable to and payable from Budget Year 1997, Account 526700.

Also,

No. 1759 Resolution providing for a Contract or Contracts or use of existing Contracts for the furnishing, installation, removing and relocation of certain electrical equipment necessary for the Street Lighting Department in CD areas throughout the City of Pittsburgh, Department of Public Works, and providing for payment thereof, not to exceed \$60,000.00, chargeable to and payable from Budget Year 1997, Account 527200.

Also,

No. 1760 Resolution providing for a Contract or Contracts or use of existing Contracts, for pavement maintenance, rehabilitation and replacement in CD areas in the City of Pittsburgh and other work incidental thereto and providing for payment thereof, not to exceed \$25,000.00, chargeable to and payable from Budget Year 1997, Account 526700.

Also,

No. 1761 Resolution providing for a Contract or Contracts or use of existing Contracts for furnishing, installing, removing and relocating certain electrical equipment necessary for the Street Lighting Department within the City of Pittsburgh, Department of Public Works, and providing for the payment of the cost thereof, not to exceed \$50,000.00, chargeable to and payable from Budget Year 1997, Account 527200.

Also,

No. 1762 Resolution providing for a Contract or Contracts or use of existing Contracts for concrete replacement at various locations throughout the City of Pittsburgh and providing for the payment of the cost thereof, not to exceed \$25,000.00, chargeable to and payable from Budget Year 1997, Account 526700.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

The Chair:

The Committee on Finance and Budget, Councilman Udin.

Mr. Udin:

Mr. President Protempory.

The Chair:

Thank you, Mr. Udin.

MR. UDIN PRESENTED:

No. 1763 Resolution repealing Resolutions, approved on various dates authorizing the sale of properties in various wards of the City of Pittsburgh in accordance with Act No. 171 of 1984.

Also,

No. 1764 Resolution authorizing the City of Pittsburgh to issue a quit claim deed for property designated as being 41-D-350, 351, 355, 356, and 357 & 20-A-1, 2, 3, 8, 11, & 14, 20th Ward to the Port Authority of Allegheny County for the sum of \$4,400.00.

Also,

No. 1765 Resolution providing for the conveyance by the City of Pittsburgh of certain property under Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh, City Source Associates Sideyard Program, 1907 Webster Avenue, Council District 6.

Also,

No. 1766 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties

acquired at tax sales in accordance with Act 171 of 1984, "Second Class City Treasurer Sale and Collection Act".

Which were read and referred to the Committee on Finance and Budget.

The Chair:

The Committee on Hearings, Mr. Ferlo, President.

MR. CUSICK FOR MR. FERLO PRESENTED:

No. 1767 Communication from City Controller, Tom Flaherty, submitting the performance audit on privatization contract clients review, phase I, clean services, Department of General Services, Department of Parks and Recreations and various private companies as of March 1997.

No. 1768 Communication from Linda M. Johnson-Wasler, City Clerk, submitting the third and fourth quarter travel reports of the Year 1996 from various city departments.

Which were read, received and filed.

The Chair:

We concluded the Presentation of Papers. We'll move to Unfinished Business. Does anyone have any unfinished business?

Not having any, we'll move onto the Reports of Committee.

Committee on Finance and Budget, Chairman Udin.

Mr. Udin:

Mr. President, Protemporary.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 1769:

Report of Committee on Finance and Budget for March 19, 1997, transmitting sundry for resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1704:

Resolution authorizing the issuance of a warrant in favor of Sergeant Electric in the amount of Eleven Thousand Four Hundred and Seventy Two Dollars (\$11,472.00) for the system analysis and preventative maintenance of the electrical service relating to the January, 1996 flood without previous authority of law and providing for the payment thereof.

Which was read.

Also,

Bill No. 1711:

Resolution providing for the issuance of a \$11,640.65 warrant in favor of David R. Lovejoy in settlement of claim for sewer line damage due to City tree roots.

Which was read.

Also,

Bill No. 1712:

Resolution authorizing the Mayor and the Director of the Department of personnel & Civil Services Commission, on behalf of the City of Pittsburgh to enter into an Agreement or Agreements in form approved by the City Solicitor, with the medical facility or facilities for professional services in connection with the administration and evaluation of federally mandated and bargaining unit specified employee and applicant drug testing and for payment of the cost thereof. Said Agreement or agreements shall not exceed Twenty Thousand Dollars (\$20,000.00), and are chargeable and payable from Code Account 1100, (110007), Miscellaneous Services, Account 526150, Fund 1000, Sub-Class 150, Organization 109000, Department of Personnel and Civil Service Commission.

Which was read.

The Chair:

You have heard the reading and title of the Bills, is there any discussion on the Bills.

Hearing none, the Bills are now ready for final action.

All in favor of the passage of the Bills will vote aye when their names are called. All those opposed will vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen
Mr. Hertzberg

Mr. Onorato
Mr. Ricciardi

Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Cusick
 (Pres't Protemp)

AYES: Eight NOES: None

The Chair:

The Bills have received the legally required number of votes and have passed finally.

The Committee on Public Works, Water and Environmental Services, Mr. Ricciardi.

Mr. Ricciardi:

Mr. Cusick.

The Chair:

Mr. Ricciardi, thank you.

MR. RICCIARDI PRESENTED:

Bill No. 1770:

Report of Committee on Public Works, Water and Environmental Services for March 19, 1997, transmitting sundry of resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1705:

Resolution amending Section 1 of Resolution No. 559, approved August 6, 1996, effective August 13, 1996, entitled, Granting unto the William Lester, 1701 Suburban Avenue, Pittsburgh, Pennsylvania 15216, his successors and

assigns, an encroachment to construct, maintain and use at his own cost and expense, an off-street parking area and fence on a portion of the right-of-way of Milo Street, by changing the parking area encroachment from 25 feet to 15 feet, in the 19th Ward, 4th Council District of the City of Pittsburgh.

Which was read.

Bill No. 1706:

Resolution granting unto Pittsburgh Board of Public Education, Central Food Kitchen, South 13th Street at Fieger Street, Pittsburgh, Pennsylvania 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, various encroachments in the right-of-way of South 12th Street below Fieger Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Which was read.

Bill No. 1707:

Resolution granting unto Maria Baronowski, 429 Arlington Avenue, Pittsburgh, Pennsylvania 15203, her successors and assigns, an encroachment to construct, maintain and use at her own cost and expense, a wood deck over an existing concrete porch on Lauer Way in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Which was read.

Bill No. 1708:

Resolution granting unto Pittsburgh Film Makers, 477 Melwood

Avenue, Pittsburgh, Pennsylvania 15213, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, installation of support poles for awnings on a portion of a right-of-way at 477 Melwood Avenue in the 5th Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Bill No. 1709:

Resolution vacating a portion of Mulberry Way between 13th Street and 14th Street in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Bill No. 1710:

Resolution vacating a portion of Quinton Street between Fairview Street and Quaker Way in the 20th Ward, 2nd Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the Bills, is there any discussion.

Hearing none, the Bills are now ready for final action.

All in favor of the passage of the Bills will vote aye when their names are called. All those opposed will vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Cusick (Pres't Protemp)

AYES: Eight NOES: None

The Chair:

The Bills having received the legally required number of votes have passed finally.

In the Committee of Planning, Zoning and Land Use, Councilman Onorato.

Mr. Onorato:

Mr. President, Protemp.

The Chair:

Mr. Onorato.

MR. ONORATO PRESENTED:

Bill No. 1771:

Report of Committee on Planning, Zoning and Land Use for March 19, 1997, transmitting sundry of resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1243:

An Ordinance amending the Pittsburgh Code, Title IX, Zoning, by a) providing a definition for radio and television or receiving tower and providing a definition for minor antenna,

b) revising the Administrator Exception to allow such towers no more than 100 feet in height in "M1", "M2", "M3", and "M4" districts, c) by inserting a conditional use exception for such towers over 200 feet in height in all districts, and d) by inserting a special exception for such towers between 100 and 200 feet in height in "M1", "M2", "M3", and "M4" districts and less than 201 feet in any other district.

Which was read.

Also,

Bill No. 1703:

Resolution amending Resolution No. 417 of 1994 (which is providing for the acquisition from CSX Transportation, Inc., of certain property located in the 6th and 9th Wards of the City of Pittsburgh for park purposes and providing for the payment of the cost thereof) to also provide for initial park development activities at the site which has been acquired from CSX as well as professional services that will advance riverfront park and trail development through the exploration of alternative funding strategies and design solutions.

Which was read.

Also,

Bill No. 1581:

An Ordinance amending the Pittsburgh Code, Title IX, Zoning, Chapter 973, "SP" Specially Planned districts by creating a new district to be identified as "SP-5" South Side works including rules and regulations and by amending Chapter 921, Section 921.02 Zoning District Maps

Nos. 12 and 13 by changing from "M4" Heavy Industrial District to "SP-5" certain property bounded by East Carson Street, South 25th Street, the Monongahela River and the CSX Railroad Yard, north of Becksrun Road in the 16th Ward.

Which was read.

Also,

Bill No. 1582:

An Ordinance amending the Pittsburgh Code, Title IX, Zoning, District Map No. 11 by changing from "M3" Light Industrial District to "C3" Commercial District, certain property having frontage on the northerly side of Baum Boulevard between South Millvale Avenue and Bouten Street in the 8th Ward.

Which was read.

Also,

Bill No. 1583:

A Resolution approving a conditional use under Section 993.01 of the Pittsburgh Code, Title IX, Zoning, Article 5, Chapter 993, as amended to Dieter Peitch to occupy the lot located at 760 Broaden Street as a customer and employee parking lot for PNW Motors located at 4801 Baum Boulevard on property zoned "R3" Multiple Family Resident District, 8th Ward.

The Chair:

You have heard the reading and titles of the Bills is there any discussion on the Bills.

Mr. Onorato.

Mr. Onorato:

Bill 1243, the Tower Communication Bill, first let me state that I'm not happy with the procedures, what's happened in the last 24 hours. The flooding of the phones calls and the letters from a lot of the individuals in the industry and the motion that I'm about to make is in no reflection on those letters because they had plenty of time.

However, talking with our own Law Department, there seems to be a few clichés in some of the actual wording that got interpreted from our first discussion three weeks ago when changes were made. Last week, you know we had a debate on several amendments that Councilman Ferlo put forward and it would take two or three adjustments today.

As a courtesy to Councilman Ferlo, I'm not so sure that that courtesy would be reciprocated if I was in his shoes, but I am going to make a motion to recommit this Bill because I want to make sure that it's done right. We waited long enough. Believe it or not, I'll be willing to wait another eight days to recommit then hold and let it come back.

The Law Department were scrambling late last night to change the wording. That's no way to handle an ordinance of this size and this magnitude after this many months and years of reviewing it. I'm willing to wait eight more days to do it right. I don't want to pass something today and, then, amend it 10 days from now.

So, as a courtesy I will make a motion to recommit so it's up tomorrow so that we can hold it one week, have the preliminary next Wednesday and the final vote on Tuesday.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Udin:

I just want to inform the Councilman that other Councilmembers such as myself may not have been recipients of that correspondence. I would be glad to take a look at it if you would share it with us.

The Chair:

Is there any other discussion?

Mr. Cohen.

Mr. Cohen:

On that issue and then I have another one if I may, Mr. President Protemp. I'm not aware, and I think maybe some other Councilmembers aren't either, of what exactly the Law Department found contentionable. Maybe this one of the points that Councilman Udin was making.

We received a memo yesterday that was maybe three sentences I believe and it did not go into any detail as to what the objectionable parts are. So, Mr. Onorato, either now or later since we're holding this Bill if you could inform us of that I would appreciate it.

Mr. Onorato:

I received that same memo. I called downstairs to find out what exactly it meant because there was no detail to it. It appears that some of the comments that came in from the industry in the last 24 hours or the last 2 days, most of them were they're being advocates for their position. But, there were two or three issues on the change that made three weeks ago regarding the definition of minor antennas. There was an accusation made or there was a concern that the definition that we asked Mr. Brown to put in, I'm not criticizing him he made the change, the specifics that were put in of the definition actually eliminated almost all small antennas because there was a problem with the wording.

Instead of me trying to correct that at the last minute today and deal with the second issue which was the setback, which is Councilman Ferlo's amendment, we're not trying to change it, but we're just trying to correct the wording of it and he's not here. I wasn't about to start handling amendments at the last minute on the floor. I thought it would be better on a Wednesday.

Actually, the changes are minor, it's just the fact that if we had to make changes today and I thought it would make the issue too complicated to start debating on a Tuesday. So, I said let's recommit and let the sponsor of one of the amendments be back here on a Wednesday.

But, the actual changes are very insignificant to what we're looking at.

Mr. Cohen:

Thank you very much.

The Chair:

Mr. Cohen on another issue.

Mr. Cohen:

On another issue, on another Bill Mr. President, Bill 1583, that's the down zoning and conditional use for PMW Motors. If you recall, we had a public hearing on this issue and the neighbors and PMW Motors reached an agreement. Since the Wednesday's vote, it was pointed out to me that one of the conditions in the Planning Commission's report to City Council was not consistent with the agreement between PMW and its neighbors.

So, I have handed out to everybody an amendment which reflects the agreement. Do you have one Mr. President Protemp?

The Chair:

No, I don't.

Mr. Cohen:

If I can just explain it briefly.

What PMW Motors and the neighbors agreed to was that PMW Motors would, first of all, would down zone its own property, the major facility and showroom from "M3" which is industrial down to "C3" which is commercial. Then, there would be a conditional use for the parking lot behind that main showroom.

Dieter Peitch who is the President of PMW Motors agreed to place a wooden fence behind the trees along Broaden

Street and also to take the curb cut out.
That was the agreement.

The Chair:

It's on the second lot?

Mr. Cohen:

Pardon me?

The Chair:

It's on the second lot.

Mr. Cohen:

It's on the second lot, exactly.

Number one, what you see is crossed out there said that he would have to put in a 15 foot setback. That's what the Planning Commission put in their conditions. But, that was not the agreement that was hammered out after the Planning Commission meetings.

I talked to both sides and both sides agreed that this can be taken out as long as Mr. Peitch goes along with the putting up a fence there. Also, Mr. Peitch has agreed to put up that fence quite quickly and to instruct his own employees not to park on the street.

So, I'd like to ask for a second in support for this final amendment on this Bill.

Thank you.

The Chair:

Does all of Council have the amendments before them?

MR. ONORATO seconded the amendment.

Which motion prevailed.

Mr. Cohen:

Thank you.

The Chair:

Thank you.

On all the other Bills, you've heard the reading and title of the Bills is there any further discussion on any other Bill.

The Bills are now ready for final action. All in favor of the passage of the Bills will vote aye when their names are called. Those opposed will vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Cusick
	(Pres't)

AYES: Eight NOES: None

BILL NO. 1703:

AYES: Seven NOES: None

ABSTAIN: One, Mr. O'Connor

The Chair:

The Bills have received the legally required number of votes and have passed finally.

In the Committee on Housing, Economic Development and Promotion, Councilwoman McDonald.

Ms. McDonald:

Mr. President Protemp.

The Chair:

Thank you, Councilwoman.

MS. MCDONALD PRESENTED:

Bill No. 1772:

Report of Committee on Housing, Economic Development and Promotion, for March 19, 1997, transmitting a sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1701:

Resolution authorizing the Mayor and the Director of the Department of City Planning, on behalf of the City of Pittsburgh, to enter into a Cooperation Agreement with the Housing Authority of the City of Pittsburgh, in a form approved by the city solicitor, for renovation and maintenance of playgrounds or for renovation of structure or for any combination of the foregoing activities in connection with the 1994 Community Development Block Grant Program at a cost not to exceed One Million, One Hundred Twenty Two Thousand Dollars

(\$1,122,000.00), chargeable to and payable from the 1994 Community Development Block Grant Trust Fund, Account 500000-2610-810000-C1994-2241002-1997.

Which was read.

The Chair:

You have heard the reading and title of the Bill is there any discussion.

Mr. Hertzberg.

Mr. Hertzberg:

On Bill No. 1701, I voted no at the Standing Committee Meeting and I'm going to continue to vote no today. The Broadhead Manor Playground is not included in the different playgrounds that are receiving funding in housing authority communities because of the Housing Authority's resolution and application filed with HUD to demolish Broadhead Manor. Until the problems with Broadhead Manor have been resolved, I can't vote to not fund the playground in that community.

So, I'm voting no.

The Chair:

Thank you, Mr. Hertzberg.

Mr. Onorato.

Mr. Onorato:

Yes, on Bill 1701, we received a memo from our Budget Director dated March 19th. I thank him because we requested at it the last Wednesday's meeting. I'm going to abstain today.

I don't want to re-open the whole debate again, but it's regarding the transfer of the money that was set aside years ago for the C.O.P. Program, CDBG dollars. It's more of a policy issue with me. I want to remain consistent with my vote on not transferring that money to any other areas of the City.

So, I will be abstaining on the Bill because \$1.5 million of the money is coming from Public Safety initiatives.

The Chair:

Mr. O'Connor.

Thank you, Mr. O'Connor.

Mr. O'Connor:

Just to follow-up with what Mr. Onorato said. I initiated that money almost five years ago and I'll just second on that. I don't like the idea that it's coming from Public Safety. Although I would support some of the playgrounds and I'm very questionable about how well the Housing Authority is being run. Before we give them any money, we ought to take a hard look at what's going on their.

The Chair:

Is there any other discussion?

Mr. Ricciardi.

Mr. Ricciardi:

Yes, thank you Mr. President.

I think there's always priority and tough decisions to be made. A story that parallels with this one may be is Windom Street. I recall, as everyone knows, where we've had some problems on Windom Street on the South Side of Pittsburgh because of a land slide. Obviously, we realized the importance of that, but we had to take the money elsewhere.

I think that we realize and Mr. Lowe realizes the importance of the renovation and maintenance of playgrounds in our housing communities. Obviously, Mr. Onorato raises a point, however, the dollars are not being used presently. We could always hopefully refurbish those dollars if need be. But, I think it's just as important to maintain and renovate our playgrounds in our housing communities as in every other neighborhood.

I realize even in this Bill I'm going to be actively pursuing some work done in St. Clair Village hopefully with a gym floor. Because at the same time, if you look at my other communities, they're doing very well with their playgrounds, Grandview, Armstrong, Beltzhoover. So, I'm in full support of this.

Again, it goes back to my first story that I stated. That is, if we want to do things, obviously, you have to take dollars from somewhere and that's what we're doing here today. When you really look at it, I think making sure our playgrounds are up to par, will make sure that our kids hopefully have very productive recreational time which is just as important as productive time at school and in other social activities throughout the City of Pittsburgh.

Thank you.

The Chair:

Finally, Mr. Udin.

Mr. Udin:

Yes, I'm going to respect my colleagues intentions of remaining consistent with previous votes and raising questions about the effectiveness of some elements of the Housing Authority Administration on certain programs.

But, I would caution us that we do not throw the baby out of the bath water and damage the kids who will benefit, and adults who will benefit, from much need renovation of public housing playgrounds. I think your points are well made, but I hope that we preserve the need for the playgrounds to be renovated in public housing communities.

The Chair:

Thank you, Mr. Udin.

Finally, I have to agree with Mr. Udin. This Council made a commitment to put safe playgrounds in all the city parks for all the children and that has to include our housing community.

I think that some good points were made today and some bad ones. One is that we need to -- sometimes you prioritize and use public safety dollars as a preventive way of keeping our children from getting into trouble. So, I think in some regards these dollars are being used for just that.

I'll be voting aye for today. I think that all of Council should reconsider their vote. I think it is very important that we do not send the wrong message and that we want all of our playgrounds in the City of Pittsburgh to be safe and we want all of our children in the City of Pittsburgh to have the opportunity to play on the equipment like I have been able to give my children in my district and all of you have been able to give your children in your district beautiful playgrounds.

Mr. Onorato.

Mr. Onorato:

I just want to clarify a point. I am in no way against doing these playgrounds in public housing. Actually, Northview Heights is listed as one of the playgrounds. I would vote today to support transferring \$1.5 million out of the URA CDBG allocation into parks renovation, but I know I wouldn't have a second and I wouldn't have five votes. I tried that once before.

My point is I think this money should stay in the public safety initiative. Obviously, the majority of Council has spoken and they disagree with me. I'm just staying consistent. It is not an anti-playground for the public housing. I will be more than happy to make the \$11 million dollars that we gave to the URA out of the \$22 million dollar allocations CDBG, I would be more than happy to make a transfer out and cut some of those programs to give safety services to the public housing. It's just that I don't think this is the right account to take it out of. So, I will be abstaining.

The Chair:

Is there any further discussion?

Mr. Udin:

Yes, just as a final comment. I just can't think of anything that is more public safety minded than giving kids some place to play and something else to do.

The Chair:

Finally, Mr. O'Connor.

Mr. O'Connor:

Mr. Udin, you've convinced me and I will vote in support of it. I believe I'll move my principals a little on behalf of the kids that I think will benefit from this. I think in all the money that's come from HUD, we've all lobbied very hard to get more percentage instead of for bricks and mortars to children and the different programs. So, this is a step in the right direction.

I will vote in support of that only on behalf of the children. I hope that the money is well spent and they do it right.

The Chair:

Thank you, Mr. O'Connor.

The Bill are now ready for final action. All in favor of the passage of the Bill will vote aye when their names are called. All those opposed will vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen

Mr. Ricciardi

Mr. Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Cusick
 (Pres't Protemp)

NOES:

Mr. Hertzberg Mr. Onorato

AYES: Six NOES: Two

The Chair:

The Bill having received the legally required number of votes, have passed finally.

The Chair:

The Bill have received the legally required number of votes and have passed finally.

In the Committee on Parks, Recreation and Youth Policy, Mr. Cusick Chairman, Mr. Cohen for Mr. Cusick.

Mr. Cohen:

Mr. President Protemp.

The Chair:

Thank you, Mr. Cohen.

**MR. COHEN FOR MR. CUSICK
PRESENTED:**

Bill No. 1774:

Report of Committee on Parks, Recreation and Youth Policy for March 19, 1997, transmitting sundry of resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1698:

Resolution providing for an Agreement or Agreements with Brashear Association in the amount of \$10,000.00 and with Western Pennsylvania Conservancy in the amount of \$20,000.00 for operational/administrative expenses, maintenance, purchase of equipment, and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, chargeable to and payable from Misc. Services, Account 566100, Fund 1000, Organization 500000, Sub-Class 300, Budget Year 1997, Department of Parks and Recreation.

Which was read.

Also,

Bill No. 1699:

Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or minor rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$90,750.00, chargeable to and payable from Miscellaneous Services, Index 180505, Account 566100, Fund 1000, Organization 500000, Sub-Class 300, Year 1997, in the Department of Parks and Recreation.

Which was read.

The Chair:

You have heard the reading and title of the Bills, is there any discussion.

Hearing none, the Bills are now ready for final action.

All in favor of the passage of the Bill will vote aye when their names are called. All those opposed will vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Cusick
	(Pres't Protemp)

AYES: Eight NOES: None

The Chair:

The Bills having received the legally required number of votes have passed finally.

I have to apologize to Councilman Hertzberg.

In the Committee on Lands, Buildings and Procurement, Mr. Hertzberg.

I apologize, Mr. Hertzberg.
Mr. Hertzberg:

Apology accepted Mr. President Protemp.

MR. HERTZBERG PRESENTED:

Bill No. 1773:

Report of the Committee on Lands, Building and Procurement for March 19, 1997, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1700:

Resolution amending Resolution No. 415 effective June 17, 1996, entitled, "Resolution providing for agreement of cable consultant services in the amount of \$10,000.00" so as to increase the amount from Twenty Thousand Dollars (\$20,000.00) to Forty Thousand Dollars (\$40,000.00), chargeable to and payable from the Community Communications Trust Fund (CCFT), Index Code 250555, Fund 2815, Organization 124000, Account 526125, Department of General Services, Bureau of Cable Communications.

Which was read.

The Chair:

You have heard the reading and title of the Bill is there any discussion.

Hearing none, the Bill is now ready for final action.

All those in favor of the passage of the Bill will vote aye when their names are called. All those opposed will vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen

Mr. Onorato

Mr. Hertzberg
Ms. McDonald
Mr. O'Connor

Mr. Ricciardi
Mr. Udin
Mr. Cusick
(Pres't Protemp)

AYES: Eight

NOES: None

The Chair:

The Bill have received the legally required number of votes have pass finally.

That will conclude the Reports on Committee under Motions and Resolutions.

Is there any other discussion.

Mr. O'Connor.

Mr. O'Connor:

One thing, I hate to say I told you so. Actually, a year ago at the request of myself and with the strong support of Councilman Ricciardi, we had a post-agenda concerning the cleaning of our rec. centers and our senior facilities. We had lobbied at debated for almost a year and had complaints. We had this post-agenda on February 6th of last year. Last week the audit came out from Controller Flaherty that I think was done by Gloria Novak. It looks like she did a very detailed audit. It shows that almost every one of them is being cleaned substandardly and not doing a good job.

In fact, one of the things mentioned is that the City was actually paying for clean supplies when it was not their responsibility. Some of the items were taken out and used by these cleaning suppliers. There's a whole list of 18 recommendations. I won't go over every

one of them, but a lot of these have to be done because not only — playing in the gym is one thing and we shouldn't have to tolerate that. But, a lot of the senior centers are on a daily basis having lunch and eating in these substandard conditions.

Another example that has been giving is that they're supposed to spend 3 1/2 hours cleaning these facilities, sometimes they're there less than one hour.

Of all the recommendations that I'm listing, I would like to look at the last one, recommendation 18. The management should explore other alternatives for cleaning these facilities especially those with community centers. I think whether they hire their own people or whether the City has to go back to hiring part-timers, but I think it should be the responsibility of the manager and the director of that facility so that he or she has the hands on capability of assuring that the job is done on a day to day basis especially for our young kids and our seniors who use these facilities a lot.

I'm recommending that Council sends a letter to the Mayor's Office requesting within 30 days that we an action plan and that something is being done about these facilities.

The Chair:

Mr. Ricciardi.

Mr. Ricciardi:

I'm in full support of Mr. O'Connor's position. I recall very vividly one year ago when Bob raised this issue and I went around to my centers, my

recreational centers, and the Market House was a disgrace. The people had bid just so low, they were not responsible bidders, however, they received the contract. After a lot of hard work on the part of my constituents and others, finally the Department of General Services, under the leadership and initiative of Deborah Miskovich, their contract was taking away.

But, still I have not been pleased with the upkeep of our recreational centers. I've took Deputy Mayor Sal Sirabella several times on a tour. They are unkept and they're dirty. I just believe they're a disgrace.

I recall years ago when City employees used to clean those facilities and how clean they were and how dedicated those people were. It just doesn't make sense to me. If people are not doing their jobs, their contract should be taken away, no and, if and but. If these people want to take us to court, we'll go that route.

But, anyone can talk to the recreational directors here throughout the City of Pittsburgh. I can speak for my district that they are unhappy, they've written several memorandums and this is a disgrace. I'm not sure why we just don't move in. With all due respect to Tom Flaherty who I'm sure has done an excellent audit report, we didn't need this audit report to know that they're not doing their jobs down there.

Mr. O'Connor, you did have the post-agenda. At that time, I thanked and commended you. Things did change for a while but they're still dirty. I really invite anyone with the Administration or this Body or even the media to go out there

today and go into those centers and see how dirty they are. Look at the bathrooms, it's a disgrace.

Thank you.

The Chair:

On that point, I also have gone around to my community centers Mr. O'Connor and Mr. Ricciardi and it's been quite the opposite. My centers, my Brookline Community Centers, the director and the people that utilize the center have told me that they do a great job. So that the other centers that I've witnessed are clean.

Let me just give you an example. I had called and one of the requirements is for them not to strip the floors. But, they above and beyond and said, hey, how about if we can get some of those old rags and they did that for the Brookline Community Center at our request. I think that has to say something, too, for the company that's in there. It's a minority owned company that I think that maybe we need to get a better dialogue with and a better understanding with so they know exactly what to expect out of us. I don't think that's very clear and I don't know if the Director of Parks should be doing that or someone else like General Services.

What I'm trying to say is my experience with this firm has not been the same as you and Mr. O'Connor or the report may state. I'm just telling you that Chuck from my Brookline centers has told me nothing but great things about them and that goes for up in Phillips Parks. The way that that looks, I was just in there on Saturday and just looking around because this issue has come up, this is not

happening over here. Maybe it's happening in other places.

Mr. Udin and then Mr. O'Connor.

Mr. Udin:

I think that the problem is not just the companies that are not doing work. I would not try to defend any company, minority or otherwise, that did not live up to its contract. But, I think that that is not the full picture. I think that part of the problem is that we allow bids to come in too low beyond which we can expect a reasonable amount of return of work and productivity.

On the one hand, we do have to save funds, but on the other hand we have to realize that there's a point below which we are not going to get the quality of services that we need. I think that when we look at this problem, we need to look at that issue as well.

I remember going over to the Market House and to a couple of other rec. centers where there were complaints and in some places it's good and some places it's not. It has a lot to do with follow-up and supervision and compliance with contracts as well as the amount that we allow, and the specificity of the contract. Some of the contracts are very vague in terms of what the contractor has to do. We need to look at the contract itself as well as the monitoring and supervision of how the contract is being implemented.

The Chair:

Mr. O'Connor. Mr. Cohen, I apologize.

Mr. Cohen:

I just want to weigh in on this issue. In the Bloomfield area for the Bloomfield Rec. Center there were a number of problems there. About a month ago, the Bloomfield Citizen's Council and myself and Councilman Ferlo met with members of the Parks and Recreation Department and also Deputy Mayor Sal Sirabella and laid out a whole host of issues. Issues from leaning, supervisor, the programs at that rec. center including the pre-school program, the use of the field there by the football, softball leagues and had a number of complaints.

Last night, we had a very long meeting where the Administration came back and responded to all those complaints. I am happy to say that they responded quite well, particularly Assistant Director Dwayne Ashley. He did an excellent job getting back on each and every one of those issues.

So, I know that there are problems with rec. centers around the City. What I would suggest is maybe following that kind of process because it did work well, at least, with Bloomfield. That is to get the community together, sit down with the people who are in charge or who are supposed to be in charge and have them get back to you. I think it might work out fairly well.

The Chair:

Mr. Ricciardi.

Mr. Ricciardi:

I'll be very short. I think that we need to ask our very able Director,

Director Miskovich, who really is in charge of these facilities to once again overlook them, go out there, and read this audit report that was put together by Tom Flaherty and Gloria Novak.

There's a bigger picture here. This shows that privatization is not always the answer. That's what we did during the previous Administration. We privatized the cleaning of these facilities in place of good, hardworking City employees and look what we got. We got bad work. There's just no comparison.

If we're going to continue to privatize the cleaning services of these facilities, we need to make sure that Deborah Miskovich has the ability to stop contracts and to do what she needs to make sure that these facilities are cleaned.

Mr. Cusick, you're very fortunate that you stated regarding Brookline. Let me tell you it's not like that in District 3. It's a shame and it's a pity. The constituents and moms and dads are crying out because of the filth of some of these recreational centers.

The Chair:

I do appreciate where you're coming from. I --

Mr. Ricciardi:

Once again, I want to thank Bob O'Connor for bringing this up.

The Chair:

I think it's an important issue and it's one that I think that we're all concerned about.

I would ask the Committee Chairman of Lands, Buildings and Procurement, Mr. Hertzberg, if he would set a post-agenda up. We could bring these individuals in that has the contract and the director in and, then, we can sit down and really try to build some bridges here and make sure that they know exactly what we expect from this firm.

Mr. O'Connor.

Mr. O'Connor:

I think the firm, and I'll defend the firm, whoever they are because there's a couple of firms. When they hire part-time people on a part-time basis to go in for two or three hours -- again, they may not know where the center, they're going in at night or by themselves, that isn't going to work no matter who the firm is. The boss may try like heck. But, our results that you can't hide here, I'm glad to see some of them are working, but on the audit it's 9 out of 9 centers were cleaned substandard and 8 out of 9 senior centers were substandard. That's the audit of Mr. Flaherty.

Also, unless that Director is in charge of the total package -- when it needs to be done he or she has to be able to correct it the next day. You can't a company and say I have a problem and three days later the boss comes. The problem is going to be gone.

The Mayor's Task Force said they would save a couple of dollars by doing this and they're recommending it. Again, the only way you're going to really solve the problem totally is to have our own employees or employees that are supervised by the rec. center to get 100

percent compliance where he or she can correct that problem on a day to day basis.

I would urge them to look into that. I don't know that we need another post-agenda because we had one last year. What I'm asking for is to come back with some results and a plan of action that will correct this problem and never have 9 out of 9 center dirty again. If they do the whole City, okay, even if they other half they miss. I'll give them the benefit of the doubt, if half of them are clean that's certainly not good enough.

What I'm asking them to do is come back with recommendations -- there are recommendations here on how they can fix this problem. It's just again another management problem that needs to be addressed.

The Chair:

I would very much agree with you. I would hope that you would hold a post-agenda Mr. Hertzberg on this issue. I think it's an important issue for all the City rec. centers.

In no way was I trying to say that Mr. Flaherty's report was inaccurate. All I'm saying is that my experience with this firm or firms have been good up to this point. Maybe they have a better working relationship --

Mr. O'Connor:

I know Mr. Ricciardi just left, but he had the same problem in the South Side.

Again, we talked to the owners of the firms, they want to do well.

The Chair:

I think Mr. Udin brings up a good point.

Mr. O'Connor:

You're bringing people in with less than minimum wage and --

The Chair:

Mr. Udin brings up a good point. We need to re-examine the specs of the contracts to see if there's some way we can get out of the contracts and have it re-bid and give these people another opportunity to re-bid where they're able to give the people --

Mr. Udin:

Just a final point, Mr. President. We also need to be careful -- it brings up again the need to be sure that the specs are clear enough to get the work done. Some of the complaints were that when we give the center directors the authority to implement and they'll receive the contracts, some of the complaints from the companies were that some of the directors were telling them to do things that were not in the contract and they were not being paid to do. That is equally wrong. If we buy a \$59.00 suit, we can't complain but so much about how it fits.

The Chair:

Just finally on that point. That was my experience, redoing the floors. That was not in the specs, but they did do that for me and I appreciated it. I think they

went above and beyond what they were required to do.

If that's all, I'll entertain a motion to adjourn.

MR. UDIN moved to adjourn the meeting

MR. ONORATO seconded the motion.

And, on the motion made by Mr. Udin, the meeting adjourned.

MUNICIPAL RECORD

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ONE-HUNDRED THIRTY-FIRST COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO.....Deputy City Clerk

Pittsburgh, PA
Tuesday, April 1, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Udin	Ms. McDonald
Mr. O'Connor	

Absent:

Mr. Ferlo (Pres't) Mr. Hertzberg

The Chair:

Thank you. Today we are very honored to have some students from the 4th Council District, which is my Council district. I'm very proud to say they're from South Hills Middle School, they're accompanied by their principal, Mr. Bernie Komoroski. We have today Jessica Peters, 11 year old from sixth grade, Phill Buckman, 13 year old from the seventh grade and Sheena Orfi 14, from the eighth

grade. And if you would kindly come up now and we'll say the Pledge of Allegiance. Following the Pledge, we will have a moment of silence.

WHEREAS, the Pledge of Allegiance was conducted by Jessica Peters, Phill Buckman and Sheena Orfi.

The Chair:

Thank you all. Our Clerk has a set of flags for you all and thank you for coming down. Thank you, Mr. Komoroski.

We'll begin with Mr. O'Connor, if there's no objection. Mr. O'Connor, we are very pleased to have in our audience today and will be coming up in a few minutes, President Judge of Allegheny County, Robert Dauer, and also Bob Gallis is the manager of constables for Allegheny County. Thank you for coming today.

MR. O'CONNOR:

Stan and Jay, would you please come up from B'nai B'rith and Judge Dauer. Bob come on up with them.

It's a real honor to have both of you here, you're old time friends and very, very active in the community. And I'll read these, you're being honored next Sunday by B'nai B'rith.

MR. O'CONNOR PRESENTS
No. 1775

WHEREAS, B'nai B'rith the oldest and largest Jewish service organization was founded on October 13th, 1843. The first international organization established in the United States serving as a world leader in the battle against prejudice constantly advocating human rights in 52 nations on six continents throughout the Free World.

WHEREAS, B'nai B'rith is holding it's humanitarian brunch on Sunday, April 6th, at the Tree of Life Synagogue, Squirrel Hill, honoring Stanley Cohen and Jay Horne.

WHEREAS, Stanley Cohen is a successful entrepreneur and is also an active member of the community through the service and several organizations, including being a member of the board of directors for the Israel Bonds and Holocaust Commission, the President of the Penn Liberty Association and past President of the Jewish National Fund.

WHEREAS, Jay Horne is the current president of the Pittsburgh B'nai B'rith Lodge 44, former vice-president of the Tree of Life Men's Club and has earned the Commissioner's award for excellence in Allegheny County government.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Stanley Cohen and Jay Horne for their dedication to the community.

BE IT FURTHER RESOLVED that Council of the City of Pittsburgh does hereby declare April 6th, 1997 "Stanley Cohen Day" and "Jay Horne Day" in the City of Pittsburgh.

Mr. O'Connor:

Actually, both of these gentleman, this proclamation just touches the surface of all they've done, from the Penn Liberty Associations downtown to helping Cuban refugees and sending toys and -- well, you can tell them more than I will, I don't want to tell the whole story, but he actually flies to Cuba and takes medicine. And Jay is active in all -- in Squirrel Hill, a lot of children's activities and Boys' Clubs and he does an excellent job and we're very honored to have him here and honored to have the Judge. So congratulations. Please say a few words.

Stan Cohen:

I want to thank you, Bob, a dear friend of mine, and I want to thank City Council and the City. It's an honor to get this award. And basically what we're doing, what we're getting this work for is the work that we've done with the Jewish community in Cuba. And I've traveled there four times in the last year on a government license, and to help them. We shipped over 5,000 pounds of medicines, food and so on to help the community. I think you've all read the problems that they're having and whether you agree with the politics or not, it's really beside the point, this is a humanitarian effort. And I thank for the honor, it's a great pleasure. Thank you.

Mr. O'Connor:

There's one for each of you, you each have your own.

Jay Horne:

On behalf of the members of City Council, and the City of Pittsburgh, it is a great pleasure to be able to receive this award. Actually as a member of B'nai B'rith, since, I believe or not 1961 when I was in the youth organization, I found that it to be a very valuable organization. It is the largest Jewish organization in the world. And it does a great service throughout the world and to a lot of people, and the lot of people benefit by it.

And we're very happy that we can save lives and be able to make people's lives better by our project. It's one of the most rewarding projects that I have ever been a part of in B'nai B'rith in all of the 30 years that I've been involved in the organization.

And I want to thank Bob O'Connor and City Council for this great award and for the opportunity to be here before City Council. This is the first time I've had to address City Council and I want to thank you for that opportunity.

Mr. O'Connor:

Judge Dauer, come on up and say a few words.

Judge Robert Dauer:

I just want to congratulate Mr. Horne who is my very fine minute Clerk and has been for many years. Mr. Cohen who supplies me with all my Christmas decorations. Congratulations gentleman. Thank you. I used to work in this room years ago.

The Chair:

Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President. Before you take your pictures, I just want to also congratulate both of you. Jay Horne is certainly a good friend of ours and actually knows my father-in-law from way back, and certainly has provided some good service, very good service, fine service to the community.

And Stanley Cohen, who unfortunately is not related to me, but somebody who I've worked with. It's a pleasure, and congratulations to both of you.

And also it's nice to have the President Judge in these City Council chambers, who aside from being President Judge is also constituent in City Council District 8.

Thanks for coming down.

The Chair:

Now we will continued with the read and adopted. Councilwoman McDonald.

Ms. McDonald:

Would representatives of Pittsburgh Job Corp please come forward to accept the resolution. They're over there. Welcome. I'll read the resolution, it speaks for itself.

MS. MCDONALD PRESENTS

No. 1776

WHEREAS, on Thursday, April 3rd, 1997, the Pittsburgh Job Corps Center will celebrate its 25th anniversary.

WHEREAS, in 1972. The Pittsburgh Job Corps Center opened its doors to its first students. At that time, the center was operated by Teledyne Economic Development Company. The Center was designed to meet the training and placement needs of the youth population. The entering class of 180 male students came from Washington, Westmoreland and Beaver as well as Allegheny County. The center became co-educational in 1987.

WHEREAS, throughout the years, the Pittsburgh Job Corps Center has expanded to accommodate 700 students. The AFL-CIO Appalachian Council in 1974 began providing vocational training and placement. In 1987, the Center relocated to its current site in Marcy with 1200 guests celebrating the new beginning.

WHEREAS, today, the Center provides on-site training in health occupations, business office technologies, building/apartment maintenance, auto body, transportation, culinary arts, carpentry and heavy equipment.

WHEREAS, honored guests of the 25th anniversary include Robert E. Galligan, the first Center Director. Reverend T.I. Pollard, the first President of the Community Relations Council; Edith Goldberg McDonald, the first project manager; Margaret K. Bennett, of Woman in Community Service; John Gains, the first president of Teledyne Economic Development; Anthony Stellar of AFL-CIO; Jeff Juris and David Bush,

staff members for 25 years; and alumni Roy Thompson, Stacy Wilson and John Richmond.

WHEREAS, the Pittsburgh Job Corps has worked diligently in its 25 year history and has surpassed its 1997 theme "Preparing today's youth for tomorrow's challenges."

NOW THEREFORE BE IT RESOLVED, that the City of Pittsburgh commends and congratulates the Pittsburgh Job Corps Center on 25 years of outstanding service to area youth.

Ms. McDonald:

Thank you very much. It is with great honor that I serve on the community relations council of Pittsburgh Job Corps. It is one organization on many boards that I serve on, but it was one organization that I was very proud of because it is, indeed, grass roots. It is effective -- one of the most effective organizations in terms of training youth and turning youth around, and I mean they go from the ground up. I mean, they encompass the whole gamut of the needs of any youth that comes through its doors and the success rate is phenomenal. Every year the dinner is held, they have an auction which I like to participate in. I don't win much, you know, because I cheap out after awhile, you know.

I'm hooked up here, I'm going to get something this year, but I encourage you to attend the 25th anniversary dinner. It's going to be held where? At the Sheraton? Okay, at the Station Square. Cocktails 6:30. I'm going to let you say this, I'm stealing your thunder, Kietha. I'm sorry, I'm sorry, I'm not going to steal your

thunder, but I encourage you to attend and support Job Corps. It is one of the organizations that does have very strong bipartisan support and I think that speaks for itself.

So without further ado, I'd like to introduce Keitha Ann Litman who is -- I'm getting your title right special projects/community relations administrator. And we also have two students Nirobi Ali, vice-president of student government, and Candace Hong Win, treasurer for student government. Keitha.

Keitha Litmann:

Good morning Councilman Cusick, members of the City Council. I would like to thank Councilwoman Valerie McDonald for this resolution and members of the City Council.

The Pittsburgh Job Corps Center is supported by both parties. It is a successful venture. The students come to our program and they leave us earning good wages at good jobs. I would like to invite you all to Thursday's event which is our annual scholarship dinner and auction. We have wonderful Pittsburgh auction items for you to bid on. And we make this -- the community relations Council of the Pittsburgh Job Corps Center has this annual event to support the scholarship fund for our students who graduate from two years of college so they can fulfill their dream of a four-year college degree.

So if you would like to join us this Thursday evening, please feel free to call the Job Corps center or my office, 441-8665, and as a special treat this year, we are fortunate to have as our auctioneer,

Lynn Hays Freeland, who is with us today. So she was fantastic two years ago and, boy, did she have lots of fun and everyone there had lots of fun, and I promise everyone that goes will definitely be a winner. Nirobi.

Nirobi Ali:

Good morning everyone. My name is Nirobi Ali. I'm the vice-president of the Student Government Association for the Pittsburgh Job Corps Center. And on behalf of the all the students at the Pittsburgh Job Corps Center, we'd like to say thank you to Councilwoman Valerie McDonald and the rest of the City Council, thank you.

Candace Win:

Good morning everyone. My name is Candace Win, I'm treasurer of student government of the Pittsburgh Job Corps. On behalf of the students, I'd like to thank you Councilwoman Valerie McDonald and the rest of City Council, and I would like to invite you to the Community Relation Council scholarship dinner on Thursday, at 6:30 at the Sheraton Hotel in Station Square. If you would like more information, to call Ms. Keitha Litman at 441-8665. Thank you.

The Chair:

Councilwoman McDonald has one to be read into the record.

MS. MCDONALD PRESENTS

No. 1777

WHEREAS, on Tuesday, April 8, 1997, the Western Pennsylvania Chapter

of the National Society of Fund Raising Executives will participate in Fund Raising Day in Pittsburgh at the Sheraton Inn Pittsburgh North Hotel; and

WHEREAS, the theme of this year's conference is "Planned Giving Doesn't Have to be from Mars." The Society will honor Ms. Dolly Ellenberg, Vice President of Development at the Carnegie Museums of Pittsburgh. She is the Western Pennsylvania Chapter's 1999 Outstanding Fund Raising Executive; and

WHEREAS, Under the direction of Ms. Ellenberg, Carnegie Museums raised more than \$139 million for its Second Century Fund Campaign. She is acclaimed by her colleagues as a fund raiser with an impeccable reputation. Dolly is active in both professional and community organizations; and;

WHEREAS, with its national headquarters located in Alexandria, Virginia, the National Society of Fundraising Executives, (NSFRE) is the only individual member professional organization dedicated exclusively to the advancement of fund raising management for all fields of philanthropic services, the development of individual proficiency, and the achievement of social and human service objectives; and

WHEREAS, for over three decades, the National Society of Fundraising Executives has united and promoted the goals and achievements of fund raisers worldwide, and the organization now boasts more than 14,000 global members in 130 chapters; and

WHEREAS, NSFRE enriches its members with a full range of benefits,

services, and educational opportunities, invaluable publications, state-of-the-practice seminars, professional certification, and affordable insurance programs.

NOW, THEREFORE BE, IT RESOLVED, that the Council City of Pittsburgh recognizes and commends the Western Pennsylvania Chapter of the National Society of Fund Raising Executives for its commitment to preserving and enhancing the philanthropic in the society.

The Chair:

Councilman O'Connor. You have two more.

Mr. O'Connor:

Will the members of Family Resources please come up. Led by Dr. Walter Smith, Jr. is the executive director and we have board members. We have Jennifer Paradise, Ann Delaney, Emily Tucker, Paul Dornak, Nancy Sibel, Madeline Jordan, Andy Frishcoff, Tanya Ferris and Bobby Shancar, right, I think I got everybody, if I missed.

This is co-sponsored by all members of Council. It's an honor to have you hear, and we're certainly glad to give you this proclamation recognition for the hard work you're doing, but it is also sad that you're necessary and also sad that your resources and your need is even greater now than in the past. But thank you for all your help with the children.

MR. O'CONNOR PRESENTS

No.1778

WHEREAS, Family Resources, a United Way member agency that works to prevent child abuse by strengthening families and neighborhoods through its outreach, prevention and community service.

WHEREAS, in the United States over the past decade, the number of children involved in reported abuse and neglect has risen from two million to more than three million per year. In 1995, there were 24,000 reported of suspected abuse in Pennsylvania, and of those, 7,000 were substantiated. That same year, 61 children died from abuse in Pennsylvania alone.

WHEREAS, during the month of April, recognizing nationally as Child Abuse Prevention Month since 1983, Family Resources, Allegheny County Children and Youth Services, Highmark Blue Cross/Blue Shield and families educators, professionals, and committed parents including the Carnegie Library of Pittsburgh, Gateway Health Plan, the Pittsburgh Children's Museum, Penn State cooperative extension of Allegheny County and many other community based collaborates in this county and surrounding counties will individually and joining undertake activities to increase public awareness of child abuse and its prevention. Including positive parenting work shops, the blue ribbon campaign, a What Caring Means To Me school based essay projects, a poster project with family support centers, family days at the Pittsburgh Children's Museum and at the Pittsburgh Zoo, a community forum on the role of schools in child abuse prevention and other special events and initiatives that build, strengthen and empower families.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the many partners in the community who have jointly forces to increase public awareness of child abuse and neglect, and to promote worthy prevention programs.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April, 1997, as Child Abuse Prevention Month in the City of Pittsburgh.

Mr. O'Connor:

Okay. We're going to wake these guys up. We have Dr. Smith as the executive director thank you very much for all the hard work you do.

Walter Smith:

Thank you, Councilman O'Connor, and Lady of Council and Council Gentlemen.

On behalf of Family Resources, a Highmark Blue Cross/Blue Shield, Allegheny County Children and Youth Service, the Parental Stress Center and our organization, Family Resources, I really want to thank you for taking special note of this very, very important issue in our society. It is very, very important to us that we all work together to try to shore the safety of our children and families.

It seems to me that if we are to have a society that is safe, if we are to have adults who know how to care and nurture their children, we must assure and prevent child abuse as it may occur in our county.

Towards this end, this Partnership, the organizations that I just mentioned, have really been working very hard with organizations like Gateway Health Plan, Carnegie Library to have a whole host of activities during this month.

We have about 12 different meetings, most of those Carnegie libraries in which we will be holding small seminars for parents, talking about issues like how to strengthen your relationship with your child, and by talking about issues like how to take care of yourself. These issues are very important to us and we note that importance by wearing these blue ribbons. We are going to pass out some blue ribbons to the other people here in the audience.

Back in 1989, Bonnie Finley had a grandson Bubba who she died from child abuse, and she tied a blue ribbon to her car. And since then, we have worn blue ribbons during Child Abuse Prevention Month, not just to note the fact that children die from child abuse but also to note that child abuse is preventable and there are some things that we all can do together to make sure it doesn't occur. So thank you so very much.

Mr. O'Connor:

Would anybody else like to say a few words? One question I had in case you would see something, whether it would be school, or a neighbor problem, how would we as average citizens, you know, make a call or try to get help? Is there a number or a process?

Unknown Speaker From the Floor:

Well, there's a few things we can all do as neighbors and citizens to help one another. One of the things that we can do is when we're out and we see parents beginning to have a little bit of trouble with their kids is go over and sort of offer some empathy and support and see if you can help out a little bit. If we have a neighbor that we know is struggling a little bit, we can, you know, invite them over for coffee and do some things to offer the kinds of practical support and emotional support that helps reduce the stress the family may be dealing with.

Most of the time when child abuse happens in families, it's happening because that family is overwhelmed by trying to cope with the difficulties and stresses in their lives. And we all know how to make friends with people and connect with them and help them reduce the levels of stress that they're experiencing.

Sometimes what we need to be able to do is refer to sources of specialized help. And one way to help parents get access to help is to start by calling our Warm Line, that's one place that parents can call, and if they choose to stay anonymous and just want to say what their concern or question is, one of our trained volunteers staff can talk with them at whatever length is helpful and offer ideas, suggestions and help, as well as referrals to services for treatment and support groups. It is possible for any of us whose aware of a situation of child abuse to contact Child Line, I don't have -- I do have the number here -- no, I don't, okay, I'm looking and see a different phone number. But we can get that phone number to anyone who is interested who does calls our Warm Line. The number is on the cards that we're going to send

around with the blue ribbons on them. It's 641-4546, and it's available toll free by calling a 1-800 before that. We can supply the Child Line number as well as any other information you may need to help a family who may be experiencing abuse or neglect. Thank you.

The Chair:

Thank you. Councilman Onorato, one to be read into the record.

Mr. Onorato:

Mr. President Pro Tem.

The Chair:

Thank you, Mr. Onorato.

MR. ONORATO PRESENTS

No. 1779

WHEREAS, Sergeant Margaret Coyne was hired on Mary 28, 1977 and has been employed with the City of Pittsburgh's Bureau of Police, Department of Public Safety for twenty years; and

WHEREAS, on October 9, 1987, ten years after Margaret Coyne was hired, she was promoted to Sergeant; and

WHEREAS, all twenty years of Sergeant Coyne's work with the Bureau of Police were served on active street patrol and "Front-line Supervision"; and

WHEREAS, Sergeant Coyne's original assignment was at "Old" #4 Police Station in the Oakland/Hazelwood area as a patrol officer. After the closing of #4 Station, Sergeant Coyne was assigned to

the "Old" #7 Police Station in Southside. Her present assignment is at Zone One Station in the Northside; and

WHEREAS, the qualities that distinguish Sergeant Coyne are her generosity, her devotion to duty, her compassion and her perseverance.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Sergeant Margaret Coyne for her outstanding service to the City of Pittsburgh and congratulates her on her retirement.

BE IT FURTHER RESOLVED, that Pittsburgh City Council wishes Sergeant Margaret Coyne many happy and healthy retirement years.

PRESENTATION OF PAPERS

MR. COHEN PRESENTED

No. 1780 An ordinance supplementing the Pittsburgh Code, Title 6, Conduct, Article 1, regulated rights and actions by adding a new chapter, 621, regulation of pay telephones for public safety purposes.

MR. O'CONNOR PRESENTS

No. 1781 Resolution providing for a contract or use of existing contracts and/or agreements for rehabilitation of Pioneer Avenue Phase II from South Crest Drive to Brookline Boulevard and for construction inspection services cost not to exceed \$1,250,000.

MR. ONORATO PRESENTS

No. 1782 Resolution amending Resolution 579 approved July 31st, 1996, entitled Providing for the implementation of residential parking permit program Area X in the Shadyside community pursuant to Pittsburgh Code Chapter 549, so as to amend streets included in Area X.

Also,

No. 1783 Resolution amending Resolution 578 approved July 31st, 1996 entitled, providing for the implementation of a residential parking permit program Area Y in the Shadyside community. Pursuant to the Pittsburgh Code Chapter 549 so as to amend streets included in Area Y.

MR. UDIN PRESENTS

No. 1784 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$21,345 to the Commonwealth of Pennsylvania representing the initial payment required for unclaimed funds for the year of 1989.

Also,

No. 1785 Resolution authorizing and directing the Mayor to issue and City Controller to countersign a warrant in the amount of 12,419.91 to the Commonwealth of Pennsylvania representing the final payment required for unclaimed funds for the year of 1988.

Also,

No. 1786

Resolution authorizing the City of Pittsburgh to issue a quick claim deed for property designated as block and lot 21-P Lots 270 and 273 and block and lot 21-K, Lot 62 in the 20th Ward to the Port Authority of Allegheny County.

UNFINISHED BUSINESS

Mr. Onorato:

Mr. President Pro Tem. Actually, I have a piece of positive news, and Mr. Udin, I'm actually going to say something nice about HUD today, believe it or not, I'm going to say something nice about HUD. Last Tuesday, it was reported both local papers and other media outlets that the Department of Housing Urban Development and Attorney General, Janet Reno, and the new secretary, Mr. Cuomo, decided they were going to get tough on bad landlords. We led the charge here with some piece of legislation that I sponsored and this Council backed to address this issue. And now you have the President of the United States saying that the problem does exist, and that they're going to get tough on it.

I applaud them, and I think it is very, very important. The term they use is equity skimming. Equity skimming meaning you have the landlord who takes the Federal check and doesn't do anything to maintain the property and doesn't pay the Federal mortgage.

On our case, we had properties where they were taking the Federal check and they weren't paying the local property tax. It's the same issue, where they're putting the money in their pockets and letting the property deteriorate.

So now we have a new tool, and I will be coming forward to help draft some local legislation to take advantage of what HUD is offering here using the Federal prosecutors. I will make a note, though, that Richard Nemointen he's the area coordinator in the article is quoted as saying: Our information will lead us to believe that we don't have any widespread problems with equities, equity skimming or owners failing to maintain decent, safe and sanitary housing. We will do a more thorough look at things. But we don't anticipate any major problems or major scandals coming out of the assisted housing units in Western Pennsylvania.

I'm glad he's going to do a more thorough look. I disagree with his beginning statement that we don't have a problem here.

Just in the audit we performed a year or so ago, maybe a year and a half ago, we discovered that there was \$547,000 in real estate taxes by landlords of Section 8 vouchers that weren't paid to the City. We gave them some notices. And a lot of that money came in immediately because we were going to remove the Section 8 vouchers. So there is a problem. I'm going to try to coordinate with the local HUD office and also with our law department and the Justice Department locally so that when we did have a report of a landlord that so-called doing this equity skimming that we use all the tools that are available to us.

And on a side note on this issue, I just want to remind the administration of the special master position that I sponsored and this Council unanimously supported we put in the budget, it is budgeted for, to assist special masters legal term that will

assist with the Housing Court in the City of Pittsburgh. Because with the new state law, allowing residents to initiate complaints for problem properties, the case volume will be very large.

And Chief Magistrate Simmons at the budget hearing testified that he could definitely use a special master, and I would hope that we fill that position as soon as possible and get these landlords to maintain their property. But more importantly, the Federal government is quoted, and this is Andrew Cuomo, who's the new Housing Secretary, is quoted as saying they're going to spend between 35 and \$40 million on enforcement of problem property of landlords, and they anticipate on a conservative side they will take in 50 million dollars of money that should be paid to the federal government and federally backed mortgages that are not being paid. So the program pays for itself, if you have proper enforcement. And I look forward to the new special master and any legislation that could coordinate all the local law enforcement agencies, and I applaud HUD for their actions.

The Chair:

Thank you Mr. Onorato. Mr. Udin.

Mr. Udin:

Good morning. I would like to join Councilman Onorato in the concern around the condition of the Section 8 housing program. I think that it's not just a question of whether or not the Section 8 landlords pay the taxes, but I think it's important that we have a way of assuring ourselves that all of the properties, whether they are administered by the

Housing Authority or whether they are some other kind of HUD contract of Section 8 that they're being maintained, especially those ones that may not be directly administered by the Housing Authority. We need a way of independently evaluating the condition of some of those buildings. HUD is very far away sometimes, and the federal officials locally don't get involved necessarily in up close micro-management. And as a result, I'm afraid that some of the Section 8 properties that these landlords are being paid for are not being kept up to code in the way that they should be.

So I would welcome working with the Councilmen on this situation and trying to improve the overall condition of all Section 8 housing and not just the landlords that haven't paid the taxes.

The Chair:

Thank you Mr. Udin. Mr. O'Connor.

Mr. O'Connor:

I just want to comment and follow up with Mr. Onorato. I think he's companioned this cause, and I commend him for that. But also in dealing with the tragedy we had last week in Oakland over a dispute a neighbor let his properties run-down, actually it ended up at an extreme where a person was actually killed, but that person who's the bad guy in this case actually bought seven City properties. And I think with these new legislation I would ask Mr. Onorato to lobby again and not only tighten up the laws and do everything we can or maybe how to educate residents, because things like this, there's fears in the neighborhoods

of turning in -- especially these absentee landlords, we do have some problems with people actually living in homes, but I think the greater is absentee landlords and the people speculating and buy up this property, whether they be Section 8 or not. And I think the City after this tragedy owes it to the residents to really educate and tighten up the rules. Even though the person was fined time after time, he was still loose and a tragedy happened.

So, I -- I wish it was easier, just like if you do something wrong, we can take your driver's license and speeding that really seems to send a fear. I believe it has to be tightened up and we have to get after these landlords. I know Mr. Onorato has been working on it, but still there has to be a lot more done that we can resolve some of these neighborhood issues.

The Chair:

Mr. Onorato.

Mr. Onorato:

Mr. President Pro Tem. Thank you, Councilman O'Connor. You brought up a very good point. And about two years ago, we debated this issue, since I made this issue of mine, all these property landlords, I pushed through a bill that we all supported that basically does not allow the City to sell any property to anyone that currently has property that's in violation of our code or owes us taxes. So I think that we should ask the Clerk right now to ask the Finance Department just to make sure that none of the properties for this individual were sold to him after that bill was passed, which right now no properties should be sold to any landlord that stands in violation of any one of our laws or owes

us any bills. And I don't know if that's the case, he might have bought them all before the bill was passed, but I sure hope that somebody's implementing that bill, from what I've seen, they have been following the rules.

So I would ask the Clerk to just give us a report on these properties that this individual purchased, that they were all before that bill was passed which is probably about two years ago now.

Mr. O'Connor:

I just have information in the paper. It may not even have been City property that he bought. I Don't know what he bought, but he was buying up cheap land, cheap property. I understand he owned seven.

Mr. Onorato:

Okay. Thank you.

The Chair:

Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President. I want to weigh in on this issue. I want to thank Councilman O'Connor and Onorato for bringing this point up because I was going to bring it up myself. We did pass legislation on that issue. So when we heard in the media that this murderer, Roy Kirk, actually bought City property, he did so in defiance of our law. So I would like to include in that letter the question as to whether that law that this City Council has passed has been implemented or not, because nobody who has Housing Court

fines can buy property. That was Councilman Onorato's legislation. So we need to know whether that is implemented.

The other issue, of course, is the fact that the Housing Court the City of Pittsburgh has no teeth. It's as simple as that. For somebody like that to be able to -- and there are many other cases of this. This one just happened to obviously be the horrible extreme because it resulted in murder. But there were many, many cases where people rack up thousands upon thousands of dollars of Housing Court fines and do not have to pay those fines. And there's no strength in the Housing Court to be able to get them to pay those fines. So look at either we have a Housing Court that has strength and has the ability to force people to obey the law or I think we should do away with Housing Court, because to have a Housing Court that's a paper tiger is worse than having no Housing Court at all. And I think we have to get together as a Council with Councilman Onorato and Councilman O'Connor and the others who have taken lead on this issue whether it be a post agenda or a public hearing, whatever, and pose that question to the administration and say are we going to have a Housing Court that just grants paper fines, thousands upon thousands upon thousands of paper fines with no police to enforce it, with no jail time to enforce it, no ability to crack down on these fines or do we not have one at all. Because they have a Housing Court that, by the way, grants continuance after continuance. I mean in this case, it's pathetic in this case that Roy Kirk got so many continuances. He actually came down to Housing Court one day with his head wrapped saying that he had gotten shot in the head and he needs a continuance. Now he came down to the

court to do that and the Housing Court Judge gave a continuance. These continuances have to stop. These paper fines have to stop. And either we put our money where our mouth is and make that Housing Court a strong court with teeth or else we do away with it. And I think we should have a post agenda to ask that question.

The Chair:

Mr. Riccairdi.

Mr. Riccairdi:

Thank you. I just want to support the comments made by Councilman Dan Cohen. I think he's obviously look at the a very -- the picture here and he's right on point it was a tragedy and I think all of our condolences go out to the family, it's such a sad situation. But I'd just like to say that Mr. Cohen is correct there's even a big picture that we have to look at. And that is what occurs is many times our Housing Court will have these fines, say a thousand dollars per day, and fine these landlords, but unfortunately what happens is once they go to the CP, that's the Court of Common Plea here in Allegheny County, they're reduce to such a nominal amount that it's such a disgrace, to go maybe from a thousand or \$2,000 to all the way down to 50 to \$75, then the starts over, because what happens is, you know, a landlord, and especially the absentee landlord, why would they fix up their property when they can pay such a light fine. But I think Mr. Cohen, I would just like to support his remarks that we really have to, first of all, clean up our own house, that is the court that we have direct responsibility for. And then from there, however, look at the larger picture, and

that is what -- any restrictions we have either by state law or the Court of Common Pleas. And maybe, Mr. Cohen, it appears that you're calling for that post agenda as the Council person heading Public Safety, and I want to support you on that.

I think we do have a very fine Housing magistrate down there, Irene McGlaughlin. I just think that she's so overwhelmed with some the work. And I think the master of housing that was put forward by Mr. Onorato in the budget, once the administration begins to fill that position, I think that's going to help. But, Mr. Cohen, you're absolutely right, I think we really need to clean up our own act before we start throwing any type of criticisms elsewhere. Thank you.

The Chair:

If there's no other comments, I'd just like to say that I have to agree with Councilman Riccairdi. When, I think given the restraints that the Judge McGlaughlin is under and what she can -- and the power she does have, I think she does a fine job in trying to work out some of the problems in our communities. And I think sometimes the continuances, because of the frustration, is once it goes on to a higher court that nothing is going to happen, so she tries too resolve the problem.

I think there's been incredible changes within Housing Court and she has made them, and I think she needs to be commended given what she has to work with she does a fine job. Having said that, and there are no other further comments --

Mr. O'Connor:

One last comment, if Mr. Onorato or Cohen would have a post agenda, I think Councilman Hertzberg has brought up a couple of times in the use of district justices or even constables go out and collect the fines. When you see a constable at your door with a badge, possibly these are things we ought to be looking into how to put some teeth as Councilman Cohen just said, we have to put some teeth into the law. Our magistrates may be doing the job, but they're not in the neighborhoods to see it. The local district justice would be riding by on a day-to-day basis almost seeing if things are being taken care of. So I think there's a whole issues we can really open up. And it won't be just my legislation, I think it's a management function too, so I would urge them to have this post agenda.

The Chair:

I think we need to remember also we only have one judge --

Mr. Onorato:

That --

The Chair:

-- for the whole City. And so I think that she --

Mr. Onorato:

You mean one Housing Court, Judge?

The Chair:

-- is very limited what she's able to do.

Mr. Onorato:

Just on that point, from my five and a half years on Council here, the special master that was put in last year, but if you go back four years ago, one of the first things I did when I was first elected is try and put in a problem property solicitor. I would be an attorney that would only concentrate on these appeals and going after any cases in front of the Housing Court. And I just on a side note, and I have a legal background, every time I hear the word continuance, the only thing that means in reality to people in my district and throughout the City is to continue to destroy our neighborhoods. And I hope people remember that. Every time we give a continuance, it continues to let these people put this cancer throughout the neighborhood. So I know that we have to live within the law, but sometimes these characters, they push us to the limit. And I know one time on the North Side when we took 57 truck loads of garbage off of a lady's front yard, it took us almost two years to get permission to do that, even then it was questionable. Sometimes you have to do what you have to do, and equity will prevail in the end.

The Chair:

Thank you Mr. Onorato.

The Chair:

Mr. Udin.

Mr. Udin:

If I might add a closing comment. I think it's first appropriate that our condolences go out to the families of both of the victims in this tragedy in South

Oakland, and for us to keep in mind that the community organizations throughout the City, I think, are more important than just the enforcement of that can be imposed by Housing Court.

In the Oakland community, the O'Cliff Community Organization has been very, very active in improving the housing conditions, including the properties that were involved in this particular incident. They worked very hard and have done a lot of great work. That's where the work is going to get done, it's not going to be done by Housing Court, it's going to be done by the communities that live in the areas that are affected.

And my hope is that we give as much attention and support to organizations like O'Cliff and other community-based organizations that are trying to improve the housing conditions and living conditions as much as we give attention to try and strengthen the court -- the Housing Court system. Both are necessary, not one or the other.

REPORT ON COMMITTEES

MR. UDIN PRESENTS

No. 1751 Resolution
providing for the filing of a petition for the sale of the property acquired at tax sale in accordance with Act No. 171 of 1984 Second Class City Treasurers Sale and Collection Act, location is 197 Southern Avenue, 19th Ward.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen

Mr. Onorato

Ms. McDonald
Mr. O'Connor
Mr. Riccairdi

Mr. Udin
Mr. Cusick

NOES:

AYES: 7 NOES: 0

PLANNING, ZONING AND LAND USE

MR. ONORATO PRESENTS

No. 1741 Resolution
amending Resolution 354 of 1996 entitled resolution providing for an agreement with a consultant, vendor and/or nonprofit organizations for management, operations and/or administrative costs of implementation of the disparity study and Implementation Commission by changing the authority from the Department of Public Safety or General Services to read the Department of City Planning.

Mr. Udin:

Mr. President, Colleagues, the effect of this bill is to change the City department that's overseeing the funds that were set aside for the disparity study, and it gives me an opportunity again to thank colleagues for supporting the work of the disparity study. The commission has been meeting is moving forward. We are close to disseminating an RFP for the study and will be contracting with a firm to conduct the study very soon. We have been receiving strong support from the City authorities and from the various City departments as well as the administration, and I appreciate colleagues for appointing very favorable people to the disparity commission, because it's because of those people who you appointed to the

commission that are moving this effort forward. Thank you.

The Chair:

Thank you Mr. Udin. I just want to thank you personally for your leadership in regards to this whole issue.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Riccardi	Mr. Cusick
Ms. McDonald	Mr. Udin
Mr. O'Connor	

NOES:

AYES: 7 NOES: 0

**HOUSING ECONOMIC
DEVELOPMENT AND PROMOTION**

MS. MCDONALD PRESENTS

No. 1727 Resolution authorizing the URA to acquire all of the City's right, title and interest, if any and in and to the publicly owned property in 8th Ward City of Pittsburgh be designated as block and lot 51N170.

Also,

No. 1728 Resolution approving execution of a disposition contract by and between URA and Carnegie Library of Pittsburgh for the sale of block 51N lot 170 in the 8th Ward of the City of Pittsburgh for one dollar plus cost.

Also,

No. 1729 Resolution approving execution of a contract for disposition of property by and between the URA of Pittsburgh and FSN management company for the sale of parcels 1 and 2 in the 22nd Ward in the City of Pittsburgh, redevelopment area 51 located at 1201, 1301 Federal Street.

Also,

No. 1730 Resolution authorizing the URA of Pittsburgh to pursue a tax incremental financing proposal or proposals for portions of the federal north redevelopment area.

Also,

No. 1756 Resolution further amending Resolution 973 effective January 1, 1995 entitled adopted and approving the 1995 capital budget and the 1995 Community Development Block Grant Program and approving the 1995 through 2000 Capital Improvement Program by decreasing a line item and adding a new line item.

The Chair:

You've heard the reading and title of the bills. Is there any discussion? Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President Pro Tem. On the bill involving the Carnegie Library Branch for the Blind and Visually Impaired, I want to thank Council for its support last week on this issue. And one point that actually did not come out at the committee session that I wanted to make this morning, I found this out actually after

the meeting, and that is that the Carnegie Library is investing a lot of money in improving that parking lot.

Right now it's really just a dirt lot. It's not an improved parking lot, and they're going to be investing, I believe, it's about \$50,000 to surface this lot to have it painted and have it landscaped. So it really is to the benefit of the community and I appreciate Council's support to be able to provide this property to Carnegie Library.

The Chair:

Mr. Onorato.

Mr. Riccairdi:

Same bill.

The Chair:

Mr. Riccairdi.

Mr. Riccairdi:

Thank you, Colleagues. I'm in full support of the bill. I think it's good for the Carnegie. I think it's very good for the community at large and Mr. Cohen makes some very fine points including the representatives that came before us. I just want to make sure that, however, we stay very fair and consistent throughout the City on the bigger picture, and that is that we need to realize that residents just the average tax payers out there should be able to receive directed sales. Obviously Mr. Hertzberg raised a very good point, when you have a directed sale, it comes with certain criteria and restrictions that need to be put forward, but taxpayers can make that restriction. But we also have to

realize even though the Carnegie, according to testimony, has been using the site since 1968, we're still giving them a piece of very valuable property. I don't have a problem with that because I think they have a great institution and they have a great mission regarding literacy here in the City of Pittsburgh and knowledge and learning. However, whether when other groups come forward, community groups, when our church community comes forward and when just average taxpayers come forward and they ask for a piece of property from the City of Pittsburgh, that they're going to improve for the community good, we have to have the same criteria. And a lot of times unfortunately we've been charging and I've objected to that, especially one piece of property I'm aware of when it came to a church and I'm saying them -- putting the administration on alert here that that is -- that I'm going to delete nominal fees for church groups and community-based organization and for average citizens because what's good to the Carnegie is good for every other taxpayer in the City of Pittsburgh. Of course, Mr. Cohen, that's another issue. I support the bill before us today.

The Chair:

Mr. Udin.

Mr. Onorato:

I have a different bill.

Mr. Udin:

Yes, on the same bill. I don't know how many of us colleagues are on the board of the Carnegie. But I would be interested in, perhaps, a post agenda

convened by any colleague on the Carnegie board. I think it's time for the City to revisit its relationship with Carnegie. We have a kind of a silent agreement to provide capital improvements for the Carnegie Library buildings which I think we treat with a kind of a smile and a wink while the ceilings crumble down on the library users.

And other times Carnegie comes to us for support. Our relationship has changed considerably over the years with the creation of the regional asset districts board. And I think we just need to revisit our relationship to the Carnegie. Some colleagues have mentioned that Carnegie has large endowments, that they could be taking care of these things themselves, well, if that's the case then we need to have a restructuring of our commitment and our relationship. But I don't think we have a right or should just ignore the current deal that we have to provide capital improvements to the buildings. We either need to renegotiate or redo it. So anyone who is interested in working with me on that, I would be glad to convene such a meeting where we can revisit this whole issue.

The Chair:

Thank you. On this issue, is there anything else? Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President Pro Tem.

First of all, on Councilman Ricciardi's issue, I think Councilman Ricciardi raises a important issue, a good issue, and I look forward to working with him on that. I don't think it undercuts the

legislation before us but I think it's an important issue.

Secondly, I whole hardly agree with Councilman Udin. I am not on the Carnegie board, so I'd certainly defer to a member of that board if they would like to bring that up. But there is an issue there, a very important issue, and that is that many of the branch Carnegie libraries in the City are falling into disrepair and do need to have capital improvements. And up until now at least those capital improvements have not been forth coming. The regional assets district did assume much of the costs that the City had been paying the Carnegie Library for operations. That was significant, I think it was 5.4 million per year. But it didn't, as far as I know, assume our capital cost obligations, and I think that post agenda would be very much in need.

The Chair:

Thank you Mr. Cohen. On this issue. No one else?

Mr. Udin:

We might as well go ahead and make it formal. I will be convening such a post agenda. And at this time I would like to entertain -- or at least make a motion if it's proper to make a televised post agenda.

MR. ONORATO AND MR. COHEN
seconded the motion.

Which motion prevailed.

Mr. Onorato:

Different...

The Chair:

You'll work with Clerk's office --

Ms. McDonald:

Excuse me, Mr. President Pro Tem

--

The Chair:

-- to set that up. I'm sorry on a new issue?

Ms. McDonald:

No. Mr. President Pro Tem, on the same issue --

The Chair:

Councilwoman McDonald.

Ms. McDonald:

Thank you very much. I'd like to have my comments brought forward. And I will be working with Councilman Udin on the post agenda, my comments that I made last week at the standing committee meeting, I'm glad Council is considering that, yeah, the facilities are falling into disrepair. We've -- I know I personally looked at the legal contract which dates back years and have found that there is no definitive -- the City has been fighting legally whether we really have to pay for some of the maintenance. The capital improvement I wouldn't even call it improvement, I think it's just a repair of the facilities. The City, in my opinion, is legally obligated. Unfortunately the City is in disrepair financially. As Councilman Cohen had alluded to, again, I look forward to that. We have had a previous

post agenda on this before. I forget who convened it. But it may be a point now when we debate smaller issues such as parking lots, that it may be prudent to have another post agenda to see where -- how we can work with the Carnegie. We also have to keep in mind it is an asset to the City of Pittsburgh. It actually everybody uses the library, it's not a bourgeois asset. It's an asset for every day people, kids, you know, grownups, older people. So I think we do need to work with the Carnegie and I look forward to working with Councilman Udin on that post agenda. Maybe there will be new information.

The Chair:

Councilman Udin will set up that meeting.

Mr. Onorato:

Actually --

The Chair:

I hope the Clerk's Office will advertise that, and I think it's important for every one in our communities to get involved. Is this on a new issue or the same issue.

Mr. Onorato:

Same issue, not regarding my new issue. I wasn't going to comment at this point applaud Councilman Udin and offer any help I can because I find it fascinating what the Carnegie can provide to the neighborhoods. And I have several in my districts, several branches. And even though that my term on the Board unexpectedly terminated early, I'm still

very concerned with the library. And I think that the issue before us, and I want to clarify this because I think it was misunderstood last week in the committee session is that we have a major policy decision to make this year. And it's a slippery slope agent depending on how we decide it, and that is that the assets that were spun off to be paid for and funded for by the regional assets district, we have a decision to make, do we let the regional assets district maintain those properties, both operating in capital or do we gradually allow those assets to start coming back to the City coffers and asking I think it's an important issue, ten years ago from their getting RAD money and we can't afford it. The issue of capital though, and I remember those from about two years ago when I was on the Board, when we spun this off, the last year was about 5.4 million dollars in operating, and about \$275,000 in capital in the City's budgets, and that 5.4 was constant for five years, it never went up, no increase, same with capital. Today, their budget is probably about six million of what that 5.4 would have been. So it's higher in the operating, they're getting more from RAD, and they're still getting \$240,000 capital from the City plus about 2 to 300,000 in capital from RAD. So what I would like to do in the post agenda is make a policy decision that we have to take care of the capital needs. And if it's going to be through RAD, that we put it on our agenda for RAD, and that's how we help them, we lobby to make sure RAD takes care of the capital. Because the idea of RAD was to relieve this burden off our shoulder, because we're shrinking, and I just wanted to be careful that we don't start taking it back in. That was my point of last week, not that I don't want to help them, it's how we help them, and I hope we shift it

toward RAD, that's obviously what I'm favoring.

Mr. Udin:

I would suggest that invite RAD to be at the table with us, have all parties at the table and then we can get the whole thing restructured all at once --

The Chair:

Mr. Cohen.

Mr. Udin:

-- the issues on the table.

Mr. Cohen:

Just a friendly reminder, you may have had this already in mind, Councilman Udin, but if you'd include the Friends of the Library Group. I've gotten a number of calls from them, especially in the last few months, so if you'd include them in the post agenda.

Mr. Udin:

Absolutely.

Mr. Cohen:

Thank you.

Mr. Udin:

If you would let me know who you have on your list, I'd be glad to.

Mr. Cohen:

I'd be happy to.

Mr. Udin:

Thank you.

The Chair:

On a new issue, Mr. Onorato.

Mr. Onorato:

Yeah, Bill 1756, just one of three bills that I introduced last week, the other two bills are in the Committee of Engineering and Construction, but I'm going to the table all three. But I'm going to start tabling Bill 1756, and briefly what this is, was the bill I put in to try to swap CD dollars for bond money and parks in my district. Further investigation shows that it could possibly, which I doubt, but it could jeopardize some of the bids that are out there. I'm withdrawing all the bills because I want to make sure that I don't want interfere with any of the playgrounds that being renovated. And I'll see if I can work something out, it not, maybe we could do something on the private side.

The Chair:

Could we have a clarification of the bill numbers?

Mr. Onorato:

1756 a motion to table.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Cohen:

I know there's normally not a discussion on the motion on the table, but I do want to take a moment to thank

Councilman Onorato for his broad vision of the City of Pittsburgh and for stepping back on this. I mean that, because this playground safety legislation was crafted by all of City Hall, and I do thank Councilman Onorato for his enlightened position.

Mr. Onorato:

Thank you. I saw the light in six days.

The Chair:

On the rest of the bills. You've heard --

Mr. O'Connor:

Mr. President, Mr. President.

The Chair:

Mr. O'Connor.

Mr. O'Connor:

Oh, I have concerns on bills 1734 and 36. I'd like a motion to --

Mr. Udin:

We're not there yet.

Mr. O'Connor:

-- reintroduce --

The Chair:

We're not there yet, Bob.

Mr. O'Connor:

I thought you were.

The Chair:

No.

Mr. O'Connor:

I'm sorry.

The Chair:

We're still in Housing, Economic Development --

Mr. O'Connor:

34?

The Chair:

-- and Promotion. That's in Engineering and Construction.

Mr. O'Connor:

1730. I'm sorry 1729 and 30.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Riccairdi	Mr. Cusick
Ms. McDonald	Mr. Udin

NOES:

Mr. O'Connor

AYES: 6 NOES: 1

COMMITTEE OF LAND, BUILDING AND PROCUREMENT.

MS. MCDONALD PRESENTS

No. 1677 Resolution providing for a lease agreement with Greyhound Lines, Inc. Owner for use of space at 11th Street and Penn Avenue as a Community Oriented Police Station effective March 15th and renewable annually at a cost -- at no cost to the City.

Mr. Udin:

Yes, I had a message from Commander McDonald this morning indicating that they have not yet received the written commitment from Greyhound, as we requested, assuring us that they would not reduce their own security by virtue of the presence of the COP Station. I, therefore, move to reconsider this bill so that we give ourselves time to get that correspondence if they intend to do it in writing.

The Chair:

The motion is to recommit.

Mr. Udin:

Recommit.

MS. MCDONALD seconded the motion. Which motion prevailed.

PARKS, RECREATION AND YOUTH POLICY.

MR. COHEN FOR MR. CUSICK PRESENTS

No. 1726 Resolution providing for a lease or the use of certain property located at Claim and Hateras Street in the 24th Ward by the Troy Hill citizens as a public park for the nominal sum of \$1.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Riccairdi	Mr. Cusick
Ms. McDonald	Mr. Udin
Mr. O'Connor	

NOES:

AYES: 7 NOES: 0

ENGINEERING AND CONSTRUCTION

MR. O'CONNOR PRESENTS

No. 1732 Resolution further amending Resolution 1018 effective January 1, 1987 entitled Adopting and Approving the 1997 Capital Budget and the 1997 Committee Development Block Grant Program and approving the 1997 through 2002 Capital Improvement Program by creating a new line item, Phillips Park addition, located in Council District 4.

Also,

No. 1733 Resolution providing for an agreement or use of existing agreements and/or contracts for the construction of an addition to Phillips Park Recreation Building and for the purchase of materials and equipment for said project costs not to exceed \$1,100,000.

Also,

No. 1734 Resolution further amending, Resolution 86, effective March 13th, 1996 as amended entitled Providing

for agreement or use of existing agreements and/or contracts for the design and construction of the relocation of Zone 1 Police Station and aforesaid project by increasing the total project allocation by \$70,000 from \$1,100,000 to \$1,170,000.

Also,

No. 1735 Resolution providing for an agreement and/or use of existing agreements and/or contracts for Smallman Street sidewalk improvements including construction inspection services at a cost not to exceed \$850,000.

Also,

No. 1736 Resolution further amending Resolution 976 effective January 1, 1996 as amended entitled Providing for the adoption and approving of the 1996 Capital Budget and the 1996 Community Development Block Grant Program and approving the 1996 through 2001 Capital Improvement Program by increasing the Federal North redevelopment project line item allocation by \$70,000, from \$1,100,000 to \$1,170,000.

Also,

No. 1754 Resolution amending Resolution 99 effective March 14th, 1995 entitled Providing for an agreement or use of existing agreements and/or contracts for the purchase of equipment and materials in connection with the rehabilitation of existing playground areas by decreasing the total project allocation by \$50,000 from \$1,507,453 to \$1,004,057 -- \$1,457,453.

Also,

No. 1755 Resolution providing for an agreement and/or use of existing agreements and/or contracts for the purchase of equipment and materials in connection with the rehabilitation of Marmaduke Park, amount not to exceed \$50,000.

The Chair:

You've heard the reading and titles of the bills. Is there any discussion? Okay, why don't we do this in a little order.

Mr. Onorato:

Mine is housecleaning, if you want to finish what I started.

The Chair:

Councilman Udin.

Mr. Udin:

I'd defer to the housecleaning.

Mr. Onorato:

Thank you. In the interest of a broader vision of Pittsburgh, I'm going to make a motion to table Bill 1754 and 1755.

The Chair:

Bills 1754 and 1755 are on the table. Councilman Udin.

Mr. Udin:

Yes, Mr. President Pro Tem, I want to speak to Bills 1734 and 1736

concerning the relocation of No. 1 Police Station on the North Side. We had inquired at the last standing committee meeting as to how the URA took possession of the land without first assuring that the land had been cleared of contaminated tanks. We have a correspondence from the director of the URA Dr. Birru explaining that they had received certification, a tank closure report from the owner indicating that two tanks had been removed and there was no current water contamination and no current soil contamination.

What the URA did not know, however, was that there were still two more tanks in the ground and when we started the construction, we discovered the tanks, we had to have removed. And now the law department is pursuing the owners for recovery of our costs.

I would urge that colleagues move forward with this legislation so that the work can be completed and that the No. 1 Police Station can be finalized, and then we can let the Law Department take up the issue of recovering the costs.

The Chair:

Thank you very much for your leadership in this. I think you've really caught something here that could have cost us and the URA a lot of money. Mr. O'Connor.

Mr. O'Connor:

Well --

The Chair:

In regard to bill 1436.

Mr. O'Connor:

I'm following up on Mr. Udin's letter, and I think he was very prudent in asking for this. The only problem I have with it, I think they're only giving us half an answer. And if you go to the last paragraph which concerns me after learning about the additional tanks, we notified the previous owner. We are now working with the City Law Department to pursue a reimbursement of some, the word some is very important here, of the remediation costs from the previous owner.

The City has been taken to the coals over the years. The law clearly states, you can go back a hundred years, the owner is responsible. In this case, it's probably an oil company, not Mr. Kroll, I don't know how long he's owned the property or his company.

But my problem is there's an oil company here involved that should pay every dime of that. And that's why I would to hold this one week. I don't want to delay the work. But I think it has to be clear that the City has to change its policies and the taxpayers are not responsible for paying this. I realize in Washington's Landing we paid millions to clean up which was not our responsibility. So therefore, I would request we hold this even until tomorrow, if we can bring it to the table tomorrow and get a better -- more satisfactory answer that they are going to hold the owners responsible and not the taxpayers.

The Chair:

On bills 17 --

Mr. O'Connor:

So I make a motion to hold actually those three bills that --

Mr. Udin:

To recommit.

Mr. O'Connor:

To recommit, I'm sorry, the motion is to recommit those.

Mr. Udin:

I have no objection.

Mr. O'Connor:

Well the two are on the table now, there's one --

The Chair:

The motion is on 1734 and 36 to recommit.

Mr. Riccairdi:

Just second for discussion.

The Chair:

Second.

Mr. Riccairdi:

Regarding the recommitment, I think Mr. O'Connor raises some very fine and legitimate points. My only issue is, and maybe that I did not listen to all the deliberation at the table, but either way, you know, the costs have been incurred and the work needs to be done, and, you

know we have a bigger improvement that we're looking at for the North Side shouldn't we just move ahead with the bills and trust that the URA will make sure that the taxpayer's not responsible or would it slow down the work in any way, and I would ask the host Council person, Mr. Udin, on this.

Mr. Udin:

I think it's a separate question. But I think that Mr. O'Connor is correct in assuring that all who can be pursued be pursued. But I think that this letter is speaking to the immediate owner, Mr. Kroll, and I think that perhaps what is being said here is that there may be someone else, the previous owner who is liable for the additional recovery costs. I would hope that we couldn't pursue the -- let the bill go through and pursue the issues of what week reimburse separately. I don't think we have to hold this in order to pursue the issue of recovering what we can recover.

Mr. O'Connor:

Well, I'm concerned about what deal may have been in place with the previous owner. In the past, the City has made mistakes in granting them immunity on this, and if that's the case here, then we would be stuck. I'd just want to clarify that we're not giving immunity in this or any other further cases. So I'll motion to hold it until tomorrow -- or table --

The Chair:

Motion is to recommit.

Mr. O'Connor:

Recommit until tomorrow.

MS. MCDONALD seconded the motion.
Which motion prevailed.

The Chair:

The bill has been recommitted.
Bills 1734 and 1736 have been recommitted.

Mr. Udin:

Mr. President.

The Chair:

On the rest of the bills.

Mr. Udin:

I just want this. On the legislation relative to the Smallman Street Bill 1735.

The Chair:

Mr. Udin.

Mr. Udin:

Yes. I want just to thank the administration for moving forward with the construction of the sidewalk on Smallman Street between 11th and 15th Street. As you know, it's right across the street from the Regional History Center where the parking lot is. And people who are visiting the center or walking toward the Smallman Street Strip District area are very afraid to walk because there is no sidewalk separating them from the oncoming traffic which moves pretty quickly down that street. So it's a very important improvement to the ongoing development in the Strip District. And I

also wanted to inform the public that we are moving forward with discussions to solve the parking problem in the upper part of Smallman Street on the other side of the bridge and will be coming forward with a solution to that parking problem within the next week or so. So thank the administration, and I would thank colleagues in advance for supporting Bill 1735.

The Chair:

Mr. Riccairdi.

Mr. Riccairdi:

Great. Thank you, Colleagues, staying on and upbeat issue as Mr. Udin just raised, I'd just like to state that Bill 1732 and 1733 are going to definitely pave the way for improvements at Phillips Park, in particular, an addition to the recreation center, as all the colleagues know here that Phillips Park has definitely become a regional park for many in the neighborhoods in the City of Pittsburgh, Overbrook, BonAire, Carrick and many of our suburban neighbors, such as Brentwood, Whitehall, Mt. Oliver, and many others. And there's just so many people to thank. I'm beginning with the tax payers and the volunteers out there, the friends of Phillips Park whose really stayed with this, Mr. Harry Readshaw, the State Representative of the Carrick area, that it appears to -- to have a grant of one million plus, and also you Mr. Cusick, Mr. Joseph Cusick.

At the very beginning, I attended few of the meetings, but unfortunately I faded off since it really wasn't my district and Mr. Cusick you stayed with it, and I really think the neighborhood needs to be

very thankful of your hard work with Mr. Readshaw, but it's long overdue. And the most important person to thank, obviously the taxpayer, because it's their money.

Finally, after all the recreational centers in the City of Pittsburgh have been upgraded. It really took the friends of the Phillips Park and Harry Readshaw and Mr. Cusick to get this thing moving. So Mr. Cusick, thank you, and hopefully you'll bring all the fine people in here and give them the honor they deserve.

The Chair:

Well, thank you, Mr. Riccairdi. But I think that the thanks also I need to thank the Phillips Park Advisory Board and Representative Reshaw. Without his hard work in Harrisburg, he wouldn't be bringing this -- he wouldn't be able to bring this money back. I think that he needs to be commended. As a Junior legislator in Harrisburg bringing these type of dollars back into any community in Pittsburgh needs to be applauded.

Secondly, I just wanted to continue to just mention that the need for the regional assets districts to get involved in Phillips Park. As Riverview Park has been made a regional park and Schenley and other parks in our communities, South Pittsburgh also deserves a regional park. This does act and provides a great service for a lot of the South Pittsburgh and south suburban Pittsburgh communities. I would encourage that we continue to work hard to make that happen.

Again I can only -- my excitement is not only for all the City residents, but I think county residents alike. And we do thank you for all your hard work too,

Councilman Riccairdi, because I know you were on the forefront early on in this work.

Mr. Riccairdi:

Well, thank you. I think you raised a very good point, Mr. Cusick, and that's regarding -- it should be designated regional park. And in order to do that, state legislation needs to be presented in order to change the criteria for the regional asset district. And I think it's something that you've talked to certain State representatives and senators, and I think maybe if we don't see some movement, Mr. Cusick, as you did with the curfew bill or the neighborhood school bill, maybe you should draft appropriate legislation and get a sponsor and get it moving, because South Hills deserves a regional park. However, the criteria needs to be changed.

The taxpayers sitting at home does not want to hear there's a problem with the restrictions, there's a problem with the criteria, they don't want to hear about the bureaucratic mess. They want to see results. And it's our responsibility to move it through. Because when I tell a taxpayer, well, we can't -- we have to follow the guidelines at regional asset district, usually they tell me, No, Gene, just change the guidelines of the RAD and let's get it moving. Thank you.

The Chair:

I think you make a very valued point. I mean, this fight, our local representatives Reshaw and Gigliotti and others around the City have heard our cry. I think we need to make it become a louder voice in Harrisburg. And we may need to take a bus ride to -- with individuals from

the community to Harrisburg on just that, changing the regional assets, so it allows parks like Phillips Park. And I think they provide the same type of service as Riverview and other parks. There's a tremendous amount of work that goes into the park, not only by the City, but by community people. And that needs to be recognized.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Ricciardi	Mr. Cusick
Ms. McDonald	Mr. Udin
Mr. O'Connor	

NOES:

AYES: 7 NOES: 0

The Chair:

That concludes --

Mr. Udin:

A point of order, Mr. Chairman, if I may. I just wanted to remind the Clerk to please communicate with the Law Department and the Urban Redevelopment Authority so that they have the solicitors who are involved in the land deal on the No. 1 police station available at the table tomorrow so we can get this item clarified with some dispatch.

The Chair:

Thank you, Mr. Udin.
Mr. O'Connor:

On that note, Mr. President.

The Chair:

Mr. O'Connor.

Mr. O'Connor:

When I read the number, pardon myself, I read the wrong number. I would like to make a motion to hold that to reintroduce that bill for tomorrow, 1729, because the tax increment financing and the environmental issues have to do with the sale of Bill 1729.

Mr. Ricciardi:

Just point of order --

Mr. O'Connor:

So I'd like to recommit that bill.

Mr. Ricciardi:

Just point of order, if I may. Mr. O'Connor maybe can help me through this. Are you talking about Bill 1729 which we already voted for? Well obviously --

The Chair:

I think it would be inappropriate to go back and re-vote.

Mr. O'Connor:

I'm sorry. Okay, I'm sorry, I wanted to vote no on that bill. So I recommitted --

The Chair:

If there's no objection --

Mr. Ricciardi:

I have no objection if Mr. O'Connor changes it.

The Chair:

What bill is that, Bob.

Mr. O'Connor:

1729.

The Chair:

29.

Mr. O'Connor:

And we're recommitting the other two.

The Chair:

Mr. O'Connor votes no.

That concludes our business on reports on -- I'm sorry -- reports on committee.

MOTIONS AND RESOLUTIONS

Is there anything under motion or resolutions? Councilman Udin.

Mr. Udin:

I just wanted to take the opportunity before we adjourn, Mr. Chair President, to congratulate Chief McNeilly and the administration on the job that they have done to provide security this weekend for the -- not this weekend, yeah, the upcoming, Klan and anti-Klan

demonstrations that will take place this Saturday, the 5th.

They have a very well thought out and thorough plan and the public can rest assure that the -- any possibility of confrontation and danger has been minimized.

The primary distraction from the Klan rally is the Pittsburgh Coalition to Counter Hate Groups which has very smartly convened a rally at Market Square which will bring most people to that rally. And I would certainly hope that media not even bother to cover the Klan rally, that would be the best commentary and editorial that the media could make about the Klan's visit to Pittsburgh in my view.

And also to, again, invite the public and Council members who wish to march with the citizens of District 6 from the two points in the district. We'll be marching to Market Square. One group will be leaving from Freedom Corner in the Hill District at Centre and Crawford, and the other group will be leaving from the North Side at West Park.

And I thank Councilman Onorato for joining me in that effort on the North Side, and we'll be moving simultaneously toward Market Square. We'll be gathering around 10:00 in the morning, and then at about 11:30, we'll start out for Market Square.

So, again, I thank all the colleagues. The public is invited. I think it's important that people do come out, not hide. There are some groups who think that we should stay at home and hide our heads in the sand. I think with something like this, we cannot not afford to hide our

heads in the sand. We have to stand up and tell the Klan, not in our town, and say so very visibly and loudly. So we'll be looking forward to Saturday. Thank you Mr. President.

The Chair:

Mr. Cohen.

Mr. Cohen:

Thank you, Mr. Cusick. I want to commend Councilman Udin for his leadership on this issue and his work in the coalition to counter hate crimes work to convey a positive message on that day, a message of diversity, a message of tolerance to oppose the bigoted hateful message that's going to be stated on the City County steps. And I look forward to marching with Councilman Udin and Councilman Onorato and the others in that community to move down to Market Square and have a great positive rally that day. Thank you.

The Chair:

I also want to thank you, Councilman Udin, I think that your words have been taken at heart, and that even though that there is a lot of disgust that comes from this rally because this rally is going to happen on the steps of this very building. You've also shown us --

Mr. Udin:

Right in front of Mayor Caliguiri.

The Chair:

That you've also shown us that you want this to be a peaceful demonstration

and that -- and I thank you for that, and I think the people in Pittsburgh thank you for that, because it is very important that we do not ignore it, but to ignore the violence that they're trying to pull us into. I mean even though we're just -- we are disgusted in the City, I think all the residents in the City are disgusted by these mongrels of sort.

Mr. Udin:

If I may, Mr. President, I've stopped short and congratulated the chief, but really the police officers of the City are the ones who are going to be the unsung heroes. They're going to be subjected to a great deal of harassment and torture by demonstrators both for and against the Klan this coming Saturday. And they're going to have an opportunity to demonstrate the kind of professional demeanor that all of us know that they are capable of doing. So what was aimed at the chief was really intended for the entire police bureau who have a very difficult job on Saturday. And I'm sure that they will live up to the billing.

The Chair:

Thank you, again. On a different issue. On Thursday evening, at 6:30, at Brookline Community Center, there will be a ribbon cutting, the Mayor, myself and others from the community in regards to the playground. I encourage everyone to be down there and to continue to support the Athletic Association Community Councils.

Having no other business.

Mr. O'Connor.

Mr. O'Connor:

I was curious, and maybe I'll ask Mr. Cohen from Public Safety with the march and rallies, I wondered if it be appropriate, but I would consider asking if the County and the State Police would want to help our officers and just show a sign of unity and a sign strength. Again, I'm not a police officer, so I don't know --

Mr. Udin:

Yes, they are involved, the County, the State Police, they have a very thorough workout plan in cooperation and all of them are involved.

Mr. O'Connor:

That's good to hear. On one other subject, I'd like to request that we write a letter to the Mayor, I'm only reading what I know what I read in the paper about the possibility of suing the firefighters and then not suing the firefighters.

I would like to be clear in asking the administration to clarify if they hired this very expensive law firm, if they hired the arbitrators, if so why, or if they have backed off it, then they'll let us know officially so the rumors stop. And also a breakdown on how they missed the 4 million dollar proposed arbitration, and now they say it's a 6.2, I'd just like a breakdown of those figures for all of Council members.

The Chair:

If that's all, then we will have a motion to excuse the absent members.

Mr. Cohen:

So move.

The Chair:

All in favor?

The Chair:

That concludes this meeting.

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ONE-HUNDRED THIRTY FIRST COUNCIL

JIM FERLO..... President
LINDA M. JOHNSON-WASLERCity Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, April 8, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

The Chair:

Good morning everyone and hello. We have Various Proclamations. We'll be inviting you up very shortly, but at this time would you all please join in the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

(The Pledge of Allegiance was conducted.)

The Chair:

Thank you, very much.

PRESENTATIONS

The Chair:

At this time I'd like to call on Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. Good morning, all members of Council, members of the audience.

Could Mr. Joseph Eden and Jerry Janice, and Jonathan Kirk please come up here.

We're going to talk about cable TV for a moment. All of you know that this Council, hopefully all of you know that this Council has really taken a lead when it comes to reducing cable rates and also promoting competition in the telecommunications field.

I have three people here with me who have really been the leaders in that effort. And they are Joseph -- Dr. Joseph Eden, who is the Chair of our Cable advisory Commission; Jonathan Kirk; and Jerry Janice. Jerry, of course, you all know from Councilman Ferlo's office, both of whom are on the Cable Advisory Board; and this issue is one that goes to the federal level because the United States Congress took away the little authority that

we did have to be able to control cable television rates.

Now, if you are, as I am, you are incredibly frustrated by how TCI continues to increase rates and continues to scramble channels and really is not sensitive to the customer.

What this Resolution today, however, is to call on officials at the federal level, the United States Senators, and the entire Pennsylvania delegation to take steps to be able to give us some control again, to allow for reasonable rates and consumer choice.

I'm going to allow the three people who are here today to speak, but let me first read this Resolution.

WHEREAS the Telecommunications Act of 1996 fails to provide consumer-friendly pricing and service-quality standards for cable television service in Pittsburgh and across the country; and,

WHEREAS this Act allows the cable industry to engage in high-end sales practices, which require consumers to purchase cable program packages, thereby, forcing them to pay for some channels in which they have no interest; and,

WHEREAS the United States Congress must reconsider the adverse effects that the Telecommunications Act of 1996 has had on cable television subscribers nationally; and,

WHEREAS the Congress should allow local franchise authorities and citizens' groups to have prior review of proposed annual cable rate increases; and,

WHEREAS the Congress should require cable companies to fully disclose the licensing fees charged by each cable and satellite transmission channel; and,

WHEREAS Congress should require the cable industry to allow consumers to pay only for the programming that they would like to watch and reduce this high-end sale pattern in the cable industry.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby call on the Pennsylvania Congressional delegation to reconsider some of the least friendly -- consumer-friendly elements of the Telecommunications Act of 1996; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh request that the Pennsylvania Congressional Delegation hold Hearings in Pittsburgh on the Telecommunications Act of 1996 to solicit public input on cable industry issues.

The Chair:

Motion to approve? Move to second? All in favor?

The motion carries.

Mr. Cohen:

Thank you, members of Council, for that unanimous vote; and I'd like to hand this to Dr. Joseph Eden, who's the Chair of the Cable Advisory Commission, and a, truly a leader on this issue and I think Dr. Eden also has some recent news to give us.

Dr. Eden.

Mr. Eden:

Thank you. What we are discussing this morning is not something that only applies to Pittsburgh financially -- and the reason why Pittsburgh should take this position is because we have a unique structure when it comes to the cable industry.

We have a franchise authority which has a professional staff that is well qualified; and we have the City Council which has, for many years, taken leadership to do what is possible to protect consumer interests in the kind of programs that are being provided, not just locally, but nationally.

And today, in Washington, there is a public Hearing chaired by Senator McCain to discuss the need for reform. Now, in Pittsburgh -- because we have done so much thinking about this issue -- it would be very sensible to have a public Hearing at which not only local people but persons who are naturally interested in the consumer rights when it comes to this public utility, that they -- Congressional Delegation -- come here to listen to suggestions that are being made and that are being worked on very aggressively within the Cable Advisory Committee.

And I would like members of that Committee -- first, Mr. Jonathan Kirk -- to say a few words, because he has been providing leadership to look at the existing Cable Communication Act of 1996 to see what kind of amendments might make sense.

(APPLAUSE.)

Jonathan Kirk:

Thank you all. Thank you, Dr. Eden.

The current Telecommunications Act really does not give the public the right to choose on which programming it wants. Basically, we are force-fed the channels that TCI and the others choose. What we're trying to do is actually inject some public choice, firstly, by allowing consumers to create their own expanded tier; and, secondly, by allowing consumers to essentially reject channels that are not popular and remove those from the expanded tier.

And ultimately, this is something that's going to have to go through Congress because, of course, the Telecommunications Act is at the US Congressional level, so we have to start a grass roots campaign here.

Thank you.

(APPLAUSE.)

Mr. Eden:

This is Mr. Jerry Janus (phonetic), who is also a member of the Committee, and has worked very hard for quite some time to activate interest not only within the Committee but amongst citizens throughout the City.

Jerry Janus:

Thank you, Dr. Eden. Thank you. I'll be brief.

I know that every time the cable rates go up, each one of you get dozens of calls in your office to try to do something about it; and there's not much that you can do about it.

The problem has to be attacked at its roots; and its roots are with the FCC. Its roots are with Congress. The changes have to be made in Washington. Not here. I know the frustration that each one of you go through every time those rates go up. And I think that if we do call a, a Hearing here in Pittsburgh, Pittsburgh could lead the way. We can lead the way across the country. Let it begin here.

Gentlemen, thank you.

(APPLAUSE.)

The Chair:

Gentlemen and lady.

Mr. Cohen:

Members of Council, thank you for your indulgence here. I realize this is a little bit unusual for a Proclamation to have such public policy implications, but I do think it's very, very important; and Jerry Janus said it best.

The Telecommunications Act was announced with all of this hellabalu (phonetic) as being good for consumers, and that it was going to bring down prices, and it was going to promote competition. Well, at least in the cable industry, it has done exactly the opposite; and there has to be a grass-roots movement to be able to repeal those portions of the Telecommunications Act, so that we can finally get these cable rates down, promote

competition, and provide consumer choice. That's what it's all about.

So I want to thank the three of you so much; and the rest of the Cable Advisory Board who is not here today, let's have this national movement start in Pittsburgh.

Thanks so much.

(APPLAUSE.)

The Chair:

Thank you, Dr. Eden and all the members of the Committee for your hard work.

Councilwoman McDonald and Councilman O'Connor.

Ms. McDonald:

Thank you, President Ferlo. Would the members of the Greater Commission for Women come forward.

And I'm not going to steal your thunder.

Now, you're going to announce the breakfast tomorrow and give all the particulars and, hopefully, people can -- more people than what have been registered for, for buying tickets will be able to attend; but I'll read the Resolution. This is sponsored by myself and Councilman Bob O'Connor.

WHEREAS on Wednesday, April 9th, 1997, the Greater Pittsburgh Commission for Women is hosting its 6th Annual Fitz Award. It used to be called The Gloria Fitzgibbons Award, but now

the Fitz Awards for the Advancement of Women Program; and,

WHEREAS the Fitz Award seeks to recognize local organizations that have demonstrated outstanding commitment for improving the economic status and quality of life of area women, named for Gloria Fitzgibbons, a local government official, who focused her energy on the betterment of economic conditions of both women and men in the community. The awards are presented in Pittsburgh -- to Pittsburgh businesses, non-profit organizations, and local government agencies; and,

WHEREAS the greater Pittsburgh Commission for Women works to improve the economic status for all women in the Pittsburgh region by serving as a catalyst for systemic change; and,

WHEREAS there is recognition of organizations with significant programs that further women's progress in the workplace community. The Commission not only rewards these groups, but also spreads the word throughout the Pittsburgh region about important programming currently in place in business, government, and non-profit agencies.

NOW, THEREFORE, BE IT RESOLVED that the Council for the City of Pittsburgh recognizes the Greater Pittsburgh Commission for Women for its efforts to enhance the status of women in the workplace; and we commend all of this year's winners for their achievements.

The Chair:

I need a motion to approve.

Mr. Hertzberg:

So moved.

The Chair:

Moved to second. All those in favor?

Unanimous.

Ms. McDonald:

Yes. And now, I would like to call up Councilman Bob O'Connor; and we have with us Sally Wade, who's the Chair; we have Renee -- excuse me, Renee Farrow, who's Administrative Director; and Julie Feder, who I just met, an intern. So Bob.

Mr. O'Connor:

Briefly, I want to congratulate all of you on the Commission on the Fitz Award and all the winners. It's amazing all the work you have been able to do; and I know any questions that I've ever had, you have been very, very helpful, not only to me, but to people I have directed you to and especially in the business and non-profit of the achievements of women is, is fantastic.

In the last few years in government, City Council is represented by Valerie McDonald. We hope we have more representatives like her in the future. I just really want to congratulate all of you; and thank you.

I know my wife and daughter have a small business now; and they haven't missed a beat. They just keep working twice as hard and take care of my grandchildren. It's fantastic all the hard

work you're doing. I just want to congratulate you and thank you for coming down.

Sally Wade:

Thank you, Councilwoman McDonald, Councilman O'Connor, and the rest of City Council.

It is a great honor to receive this Proclamation. We at the Commission are very proud of our mission and are working -- continuing to work very hard to achieve the mission of increased economic status for women in the Pittsburgh region.

We invite you to the breakfast event tomorrow morning at 7:30 a.m. at the David L. Lawrence Convention Center. We have 22 finalists; and we are very excited about the winners this year. So we invite you. It will be a good -- a great event for the Commission and for Pittsburgh; and, again, thank you for the Proclamation.

(APPLAUSE.)

Renee Farrow:

On behalf of the Commission, I'd like to thank City Council and Valerie and Bob.

We appreciate any support that you can give us. We are striving for that economic development; and we are seeing great strides, and I'd like to thank you again.

(APPLAUSE.)

Julie Feder:

Thank you very much all the Council and to everybody, to Renee and Sally and to Jane Downing, who couldn't be here today. It will be a great event; and we hope we see you there.

(APPLAUSE.)

The Chair:

Thank you and congratulations.

We have a couple of Proclamations to be read into the record, submitted on behalf of Councilwoman McDonald and I believe Councilman O'Connor.

The Clerk:

**COUNCILWOMAN McDONALD
PRESENTS**

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh welcomes all the individuals visiting Pittsburgh as guests for the 65th convention of Alpha Phi Alpha and we commend the Alpha Alma Cron Lambda Chapter for the continued dedication to community service in the City of Pittsburgh, also, Councilwoman McDonald and all Council members.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh commends the participants of the celebration of unity for actively communicating the message that Pittsburgh is not fertile ground for seeds of hates, and we also express appreciation for the diversity which exists in all our communities.

The Chair:

Motion approved? Moved to second? All in favor? Aye.

Motion carries.

Councilman Onorato.

Mr. Onorato:

To be read into the record.

The Chair:

Thank you, Councilman

The Clerk:

COUNCILMAN ONORATO PRESENTS

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh proudly recognizes the 40th annual PNC Bank Big 33 Football Classic and the April 10th, 1997, awards and commends this region's players, scholars, their families, and all others involved in this worthy endeavor for improving the most -- the quality of life for all students in Pittsburgh and its surrounding community.

The Chair:

We need a motion to approve.

Mr. Hertzberg:

So moved.

The Chair:

Moved to second. All in favor? Aye.

The motion carries. Thank you.

I'd like our friends from the Lawrenceville community as well as Westinghouse Corporation to come forward and our Environmental Development Fund in Pennsylvania representatives, and I believe the Lawrenceville Development Corporation may be here, and Myrna Antonio-Hall from Partners in the Parks, and Mary Ester Van Shore (phonetic), I believe, is representing the Parks Department.

Members of Council, it is a great honor and privilege to be submitting the following Resolution carrying on a great tradition that has unfold in our city; and that is basically the taking back of your riverfronts, not only for commercial development that has a higher and better use, but also clearly the recreational and aesthetic appreciation that the rivers represent for our City and all that -- all the potential that it represents.

And on this Saturday, we have a tremendous day, Lawrenceville Trail Day, and I'd like to read the following Proclamation and then I'll introduce our guests.

WHEREAS on Saturday, April 12th, 1997, from 9:00 a.m. to 3:00 p.m., Westinghouse Corporation and the Lawrenceville Development Corporation and the Environmental Fund of Pennsylvania and Partners in Parks are teaming up to assist in the cleaning and beautification of the newly-constructed Lawrenceville Trail; and,

WHEREAS the newly-constructed Lawrenceville Trail, which runs along the Allegheny River from 40th Street to 36th Street, is a continuation of the existing National Robotics Engineering Consortiums, the Lawrenceville Trail,

which stretches from 40th Street down to 43rd Street; and,

WHEREAS when completed, the Lawrenceville Trail, via the 31st Street Bridge, will tie into the Trail and Washington's Landing and to the Cumberland Trail, which includes the Three Rivers Heritage Trail, Steel Heritage Trail, Youghiogeny River Trail north and south, and the Allegheny Highlands Trail all the way down to Maryland; and,

WHEREAS this years contributors and supporters of the beautification project include: Waste Management, Incorporated, which is donating 100 trees to be planted by volunteers along the Robotics Trail and the new Lawrenceville Trail; Giant Eagle, which is donating two truckloads of topsoil to used in the planting of trees and flowers at the Trail site; and the Westinghouse Foundation, which gave the Lawrenceville Development Corporation a Grant for the purchase of four benches and a trash receptacle to be placed along the new Trail; and,

WHEREAS for the leadership of Lawrenceville Development Corporation and Parters in Parks, every resident in Lawrenceville received an invitation to participate in the Beautification Project scheduled for this Saturday from 9:00 to 3:00.

NOW, THEREFORE BE IT RESOLVED, the Council of the City of Pittsburgh does hereby commend the Westinghouse Corporation, the Environmental Fund of Pennsylvania, Parters in the Parks, Lawrenceville Development Corporation, and others for their leadership and contributions towards

the beautification and conservation of the City of Pittsburgh's natural resources; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Saturday, April 12th, 1997, as Lawrenceville Trail Day here in the City of Pittsburgh.

So moved. Moved to second? All in favor? Aye.

Thank you very much. Obviously, this is a tremendous effort that had a lot of planning behind it; and others are participating. Certainly, they are the named organizations in the Proclamation, but I know, for instance, Anthony Phillips Hauling has agreed to donate some large drop boxes for some of the debris, local construction companies, many of the citizens, Pepsi has contributed some pop. I'm sure many others need to be thanked; and our representatives here, I'm sure, will highlight those concerns.

I also really want to highlight the corporate responsibility and the unique participation of Westinghouse Corporation today. I think they're to be applauded and certainly the Pennsylvania Environmental Fund and we have a couple of representatives here.

We have Renny Clark, who's the Director -- Executive Director of the Corporate Services and Community Affairs at Westinghouse; Sam Pitts, the Vice President and Law Environmental Affairs and Insurance Department within the corporation; Tom DuPlessis -- I don't know if I'm saying it correctly -- the Chairperson of the Environmental Fund of Pennsylvania Campaign; Jodie Noble, the

manager from Training and Communications.

From the Pennsylvania Environmental Fund, we have Andy Loza (phonetic), who's the Executive Director of Allegheny Land Trust and a Board member of the Environmental Fund of Pennsylvania.

I don't believe we have an LDC representative here yet. Maybe we will, maybe Gary or Nancy will show up. And certainly no one strange to this Chambers nor, more importantly, strange to the hard work of the citizen action when it comes to taking back our parks, and that's Myrna Antonio-Hall, who is here today; and I hope that she will share some comments.

And the Parks Department is here, and Mary Ester Van Shore; and also I know I have been out to the site in the last few weeks and seen a lot of heavy equipment.

I do think we need to thank the Department of Public Works also for a lot of heavy equipment and the work that they've done, at least in some of the preliminary work.

Obviously, I will be out there on Saturday. I'm calling a lot of my friends, not only in the Lawrenceville community, but we built a major playground in Highland Park involving several thousand volunteers. So I'm issuing a call now to anybody in my Council District or, for that matter, anybody City-wide if you want to put your work clothes on for the way, come on down to Lawrenceville. We very much need your participation on Saturday.

But at this time, I'd like to ask Renny to say a few words, Sam Pitts, and Andy, and see if we can get Myrna up here and Mary Ester. So Thank you very much.

(APPLAUSE.)

Renny Clark:

Thank you, President Ferlo. We are delighted to be here today. As my respon -- part of my responsibilities for the Community Affairs Activities of Westinghouse, we take great pride in the communities in which we have operations and where we have resided for a long period of time.

This project is sort of in recognition of our commitment to Earth Day and what we, as a corporation, have made a commitment to the environment. Being a manufacturing company in a lot of exotic businesses, we respect the environment and realize that we have an accountability to the environment; and through a project like this, to help bring back the waterfronts of the City of Pittsburgh to a quality of life, enhances and benefits everybody involved.

We're delighted to be involved in the project. We had a similar project last year on the North Shore to repair the damage from the flood over on -- I believe it was called the Heritage Trail, and had a great day, had over 200 volunteers. We're hoping to get close to that many again this year.

I do want to commend to the members of Council the work of Myrna Antonio-Hall. I hope you folks realize what a gem you have in this woman.

Mr. Cusick:

We do.

Renny Clark:

And we tease her a lot; but if we wanted wheelbarrows with white side-wall tires on them, they would be there. It absolutely amazes me how she pulls together all the activities.

To each member of the Council, I would urge you to consider similar projects in each of your Districts; and you have another opportunity coming up later this year -- and I would be at fault if I didn't put a plug in to the United Way Day of Caring. And one of your counterparts, Mr. Cohen, has been a very, very proponent -- strong proponent of United Way Day of Caring. And basically that's what we're doing, sort of, this coming Saturday, bringing together a lot of volunteers.

We encourage the employees and their friends to bring their children and their grandchildren, so that they can understand there is a responsibility in the communities in which we live to make it a better place.

And I want to thank everybody who has supported the effort; and, as I said, when we show up there on Saturday with the number of volunteers -- thanks to Myrna and all her staff and a number of other organizations in the city, Westinghouse and Lawrenceville Development and the Pennsylvania Environmental Fund -- we will have an outstanding job done when we conclude the afternoon.

Thanks, Council, for the recognition.

Westinghouse is proud to be a part of Pittsburgh and delighted to be here today. Thank you.

(APPLAUSE.)

Sam Pitts:

President Ferlo and members of Council, I'm Sam Pitts from Westinghouse, and Renny certainly has said it all; but we are proud to be working with the Environmental Fund and the City of Pittsburgh to clean up its waterways.

This is our second year. We were at the Heritage Park, as Renny said, last year; and we're now in Lawrenceville. We hope to continue this over the next few years.

We think that the cooperation between the City and the Environmental Fund and the Corporation is exemplary; and we hope that all of you will turn out with as many of our Westinghouse employees that we can get out and the citizens of Lawrenceville.

So we thank you very much for cooperating with us; and, hopefully, we'll end up with a very beautiful Trail.

(APPLAUSE.)

Tom DuPlessis:

Very briefly, the Environmental Fund is, once again, very glad to work the with the City's Parters in Parks, Westinghouse, and local residents as well as many others to improve the quality of life for Pittsburgh residents and its visitors.

(APPLAUSE.)

Jodie Noble:

Hi. Thank you. I just wanted to thank Westinghouse for, once again, coming back to the City this year to do another project in our City. Their team has

been wonderful in years past and we hope to continue that relationship; but I'd be amiss if I wouldn't mention the volunteers and staff that we have that helped to put this together.

Paul Gergeris (phonetic) is out today digging up the hundred trees to bring back to Pittsburgh.

Ronda Gethers (phonetic), who is our secretary, and she keeps us all in line; and we have a volunteer with us today, Carol Bell. She will be out there on Saturday helping us; and we're all under the leadership of Mary Ester Van Shore, who keeps us all on track. So thanks a lot. Oh, sorry, they have been wonderful. We couldn't do it without them. And I've really kept them to task. I mean, they have so many projects going on, but, yet, they pulled it off and they have it done. The Trail's completed and ready for the Beautification Project on Saturday. So I want to thank them all very much.

(APPLAUSE.)

The Chair:

Again, I think we can be proud of the City of Pittsburgh and not only the Parkers in the Parks, but all the on-line staff from the Parks Department and thank you for recognizing the staff.

Oftentimes, they've not been here in the past when we're reviewing. Some of the other great projects that Councilman Onorato and Councilman Hertzberg's been involved in a very unique clean-up and been along the hillside of a very steep grade in Mt. Washington. So there are some great projects going on. I think we got to keep the ball rolling here.

I also think a special thanks goes to Carnegie Mellon in recognition of the new Robotics Center. I think they were sensitive enough to recognize the important-- recognition that they're alongside the riverfront.

And I think to this Council, also, because the leadership of this Council, we adopted a Zoning Code years ago that required a public urban open space along the Riverfront Overlay District; and I think given that Zoning Code, we were able to impress upon new development along the riverfront the need to appreciate the fact that right next door is a great river, be it the Three Rivers, and that they have a special, unique obligation, let alone the responsibility under the Zoning Code, to keep some portion as a public right of way.

So I think, again, the leadership and this Council and previous Mayor in developing that Zoning Code was an important aspect of taking back the rivers. So, again, thank you very much for all of your leadership.

A special thank you to Westinghouse. I think, if there is any corporation locally and not only with this kind of initiative, but in the United Way Day of Caring and a host of other activities, I think that Westinghouse, as a corporation, has really shown a high level of not only philanthropy, but, more importantly, a corporate sensitivity to the community in which they are leaders. So a special thank you to Westinghouse.

Mr. Cohen:

Thank you, Mr. President. Very briefly, I just want to congratulate all of you and wish you the best of luck.

Certainly, Westinghouse, Giant Eagle, et cetera.

And now that -- we do have Parks Department up here, representatives. I did want to just take one moment and congratulate you, first of all, on the Maple Festival this past weekend. I think a lot of people don't realize how much the Parks Department does and how much the City does; and in the Point Breeze area, it was just a wonderful success.

I know Councilman Hertzberg was there with his children. My son had a wonderful time. So I want to thank you for that, Mary Ester and Myrna Antonio-Hall; and I also want to thank you for your upcoming work on the Friendship Community Playground. Thanks so much.

The Chair:

Thank you very much. We have one more to be read into the record by Councilman O'Connor.

Again, that's Lawrenceville, this Saturday, 9:00 to 3:00. Don't be afraid to come on down. Basically, below the 40th Street Bridge, you'll see us working.

The Clerk:

COUNCILMAN O'CONNOR PRESENTS

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Jeanne Caliguiri for her dedication to the people of Pittsburgh; and,

BE IT FURTHER RESOLVED that the Council of City of Pittsburgh does hereby

declare Thursday, April 3rd, 1997, Jeanne Caliguiri Day in the City of Pittsburgh.

The Chair:

We need a motion to approve. Moved and second it? All in favor? Aye. Motion carries. Thank you. That concludes our read and adopted.

PRESENTATION OF PAPERS

So I'm moving to Presentation of Papers.

Councilman Cohen, Committee on Public Safety Services.

Mr. Cohen:

Mr. President.

The Chair:

Thank you, Councilman Cohen. I want to thank also my colleague, Councilman Cusick, for Chairing the meetings for the last two sessions. Thank you very much.

Mr. Cusick:

Thank you.

The Clerk:

COUNCILMAN COHEN PRESENTS

An Ordinance amending the Pittsburgh Code, Chapter 525, towing charges, Section 52502, Schedule of towing fees; and Section 52503, fees and payment for special works.

The Chair:

**Councilman Cusick, Committee
on Parks and Recreation Youth Policy.**

Mr. Cusick:

Mr. President.

The Chair:

Thank you, Councilman Cusick.

The Clerk:

COUNCILMAN CUSICK PRESENTS

A Resolution authorizing the issuance of a warrant in favor of the Richard S. Caliguiri Amyloidosis Foundation in the amount of \$9,571 in connection with the 1996 Great Race.

The Chair:

**Councilman Hertzberg,
Committee on Lands, Buildings, and
Procurements.**

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you, Councilman.

The Clerk:

**COUNCILMAN HERTZBERG
PRESENTS**

A Resolution providing for a contract or use of existing contracts for various repairs, renovations, and purchase of materials and supplies for City facilities, costs not to exceed \$50,000.

The Chair:

**Councilwoman McDonald,
Committee on Housing, Economic
Development, and Promotion.**

Ms. McDonald:

No new papers, Mr. President.

The Chair:

Thank you, Councilwoman.

**Councilman O'Connor,
Committee on Engineering and
Construction.**

Mr. O'Connor:

Mr. President.

The Chair:

Thank you, Mr. O'Connor.

The Clerk:

**COUNCILMAN O'CONNOR
PRESENTS**

A Resolution amending Resolution No. 633, effective August 19th, 1994, entitled "Providing for a Contract for use of Existing Contracts and/or Agreements for the Renovation of Recreation Centers and Senior Citizens Centers," by decreasing the total project allocation by \$50,000 from \$300,000 to \$250,000.

Also a Resolution amending Resolution No. 130, approved March 20th, 1997, entitled "Providing for a Contract or use of Existing Contracts and/or Agreement in Connection with a Wall,

Step, and Fence Program at various areas throughout the City," by increasing the total project allocation by \$175,000 from \$469,518 to \$644,518.

Also,

A Resolution providing for a contract or use of existing contracts and/or agreements, for repairs and renovations to the City-County Building and for the purchase of materials and supplies for said project, at a cost not to exceed \$150,000.

The Chair:

Councilman Onorato,
Committee on Planning, Zoning, and
Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you, Councilman Onorato.

The Clerk:

COUNCILMAN ONORATO
PRESENTS

A Resolution further amending Resolution No. 1415, effective January 1, 1991, entitled "Adopting and Approving the 1991 Capital Budget and a 1991 Community Development Block Grant Program and approving the 1991 through 1996 Capital Improvement Program," by adjusting various line items in conformance with City Council's 1991 Capital Budget Amendments, by reducing line item public space improvement from 500,000 to \$300,000 and adding a new

line item Public Works Graffiti removal from zero dollars to \$200,000.

Mr. Onorato:

Motion to suspend so that that Bill can be read with tomorrow's Graffiti Bill.

The Chair:

Move to second. Any discussion?
All in favor? Aye. The motion carries.

Councilman Ricciardi,
Committee on Public Works, Water,
and Environmental Services.

Mr. Ricciardi:

No new papers, Mr. President.

The Chair:

Thank you,

Councilman Ricciardi,
Councilman Udin, Committee on
Financing and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you, Councilman Udin.

The Clerk:

COUNCILMAN UDIN PRESENTS

A Resolution providing for an Agreement with City Source Associates for use in lot clean-up operations in the implementation of the Side Yard Program, at a cost not to exceed \$50,000.

The Chair:

The Chair presents.

The Clerk:

THE CHAIR PRESENTS

A Resolution providing for the issuance of a warrant in favor of the American Legal Publishing Corporation in payment for supplement pages to the Pittsburgh Code for the year 1996 at a cost not to exceed \$2,019.

The Chair:

That concludes our Presentation of Papers.

UNFINISHED BUSINESS OR REPORTS OF SPECIAL COMMITTEES

Under Unfinished Business or Reports of Special Committees, I'd like to allow -- Councilman O'Connor wanted to raise an issue regarding the previous vote. Councilman O'Connor.

Mr. O'Connor:

Yes, in last week's session, there was confusion on the floor. I voted Aye on Bill No. 1730. I wish to register a No vote on that.

The Chair:

This is regarding the Tax Implement Financing, I believe, on the North Shore?

Mr. O'Connor:

Yes. I read a number out and Pro Tem Mr. Cusick, there was -- there was just some confusion and, basically, I think it was my fault, because I read the wrong number out.

Mr. Ricciardi:

That's a legitimate point of the argument.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Yes. I think it's a legitimate point that Mr. O'Connor raised; but, Mr. O'Connor, I do recall at -- towards the end of meeting, you did want to be registered. Was that another Bill?

Mr. O'Connor:

It was not same Bill. That's right, there was confusion on those two Bills.

The Chair:

On this Home Rule Charter, it was awarded in the following session, in the majority if one casts a vote, they would be allowed, provided the body allows them. Withstanding no objections -- I'm sure there will not be -- if there's no objection, we'll so record the vote as a No on that previous vote from Mr. O'Connor. Any objections?

Thank you, Mr. O'Connor. Councilman Udin, regarding our new re-appointments, our Clerk and Deputy Clerk.

Mr. Udin:

Mr. President.

The Chair:

THE CHAIR PRESENTS

On behalf of Mr. Udin, Finance
Chairman. Councilman.

Mr. Udin:

Thank you. The Council members
very much in the same way that our
individual personal secretaries often work
in the background and do a great deal of
the work that is required of us to perform
our tasks and duty as Council members,
so, too, does the City Clerk and her staff
work oftentimes in the background,
working long hours and performing tasks
at public Hearings and other post-agenda
meetings and providing information to the
public and their office is oftentimes
unheralded.

Therefore, Mr. President, it gives
me a great pleasure to be able to nominate
for re-appointment the City Clerk, Miss
Linda Johnson-Wasler, and the Assistant
City Clerk, Mr. John Mascio, to another
three-year term and, in so doing, thank
them for their many long hours of work
and professional service.

The Chair:

Thank you. It is seconded.
Any discussion?

Again, on the Home Rule Charter,
we have this obligation and we met in
Executive Session, I think we wanted to
applaud publicly the good work of Linda
and John and all of the Clerk's staff and

again with no other comments, all in
favor? Aye.

Let it be represented a unanimous
vote has been cast for the reappointment of
our Clerk and Deputy Clerk.

(APPLAUSE.)

The Chair:

It doesn't mean a raise or any more
vacation time. Thank you, very much. Let
the good work continue.

No other matter under Unfinished
Business or Reports of Special
Committee?

REPORTS OF COMMITTEES

Hearing none, moving to the
Reports of Committees, beginning with
the Committee on Finance and Budget.
Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you, Councilman.

The Clerk:

COUNCILMAN UDIN PRESENTS

Reported Committee on Finance
and Budget for April 2nd, 1997, with an
affirmative recommendation,

Bill No. 1763, Resolution
Repealing Resolutions approved on
various Block and Lot 41 (d), 350, 351,

355, 356 and 357, and Block and Lot 20 (a) (1) (2) (3) 8 11 14 all in the 20th Ward to the Port Authority of Allegheny County for the sum of \$4,400.

Also,

Bill No. 1765, Resolution providing for the conveyance by the City of Pittsburgh of certain property under Act 171 of 1984, Second Class City Treasurer's Sale and Collection Act having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh City Source Side Yard Sale.

Also,

Bill No. 1766, Resolution providing for the filing of the Petition for the sale of certain properties acquired at tax sale and in accordance with Act No. 171 of 1984, Second Class City Treasurer's Sale and Collection Act.

The Chair:

You've heard the readings on the Bills. Is there any discussion?

Hearing none, the Bill is now ready for final action.

All in favor of the Bills vote Aye when your names are called; if you're opposed, vote No.

Would the Clerk please call the Roll?

Deputy Clerk:

Mr. Cohen.

Mr. Cohen:

Aye on all Bills.

Deputy Clerk:

Mr. Cusick.

Mr. Cusick:

Aye on all Bills.

Deputy Clerk:

Mr. Hertzberg.

Mr. Hertzberg:

Aye.

Deputy Clerk:

Ms. McDonald.

Ms. McDonald:

Aye.

Deputy Clerk:

Mr. O'Connor.

Deputy Clerk:

Mr. Onorato.

Mr. Onorato:

Aye on all Bills.

Deputy Clerk:

Mr. Ricciardi.

Mr. Ricciardi:

Aye.

Deputy Clerk:

Mr. Udin.

Mr. Udin:

Aye.

Deputy Clerk:

Mr. Ferlo, President.

The Chair:

Aye.

Deputy Clerk:

AYES 9 NOES NONE

The Chair:

All of the Bills having received the legally-required number of votes have been approved finally.

Councilman Ricciardi,
Committee on Public Works, Water and Environmental Services.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you, Mr. Ricciardi.

The Clerk:

COUNCILMAN RICCIARDI
PRESENTS

Reported Committee on Public Works, Water, and Environmental Services for April 2nd, 1997, with an affirmative recommendation,

Bill No. 1510, Resolution granting unto Bell Atlantic Network Services an encroachment to construct, maintain and use, at their own cost and expense, telephone enclosures on a portion of the sidewalk area at various locations throughout the City of Pittsburgh.

Also,

Bill No. 1738, Resolution providing for an agreement for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, effective January 1, 1997, at a cost not to exceed \$115,000.

Also,

Bill No. 1739, Resolution providing for an Agreement for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, effective January 1, 1997, at a cost not to exceed \$240,000.

Also,

Bill No. 1740, Resolution providing for a contract for brick pavement maintenance rehabilitation and replacement throughout the City of Pittsburgh and other work incidental at a cost not to exceed \$35,000.

Also,

Bill No. 1758, Resolution providing for a contract for Street Resurfacing Program throughout the City

of Pittsburgh, including brick and block stone repairs, concrete slab replacement, park-related asphalt work in CD areas throughout the City of Pittsburgh at a cost not to exceed \$1 million.

Also,

Bill No. 1759, Resolution providing for a contract for the furnishing, installing, removing and relocating of certain electrical equipment necessary for the Street Lighting Department in CD areas at a cost not to exceed \$60,000.

Also,

Bill No. 1760, Resolution providing for a contract for pavement, maintenance, rehabilitation, and replacement in CD areas of the City of Pittsburgh at a cost not to exceed \$25,000.

Also,

Bill No. 1761, Resolution providing for a contract for the furnishing, installing, and removing, and relocation of certain electrical equipment necessary for the Street Lighting Development -- Street Lighting Program, all within the City of Pittsburgh, at a cost not to exceed \$40,000.

Also,

Bill No. 1762, Resolution providing for a contract, raised existing contracts for concrete replacement at various locations throughout the City of Pittsburgh, at a cost not to exceed \$25,000.

The Chair:

You're heard the reading and Title of the Bills. Is there any discussion?

Hearing none, the Bills is now --

Mr. Ricciardi:

Excuse me.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you. I took for granted that Mr. Cohen might want to first speak on 1510 and I'll defer; but if not, I'd like to say a few words.

Mr. Cohen:

Councilman, thank you. I appreciate it. As I said last Wednesday, I'm going to allow this Bill or certainly vote for this Bill; but instead, what I did was introduce separate legislation, which will be coming up tomorrow, on the whole issue of designating problem pay phones that are currently in existence.

The part of my original legislation that dealt with permitting for new pay phones, the Law Department has said is questionable legally, so that's the part I took out of my legislation; and we will be talking about the problem, the current problem pay phones tomorrow. So I don't have a problem with this. Thank you.

The Chair:

Mr. Ricciardi, did you want to finish?

Mr. Ricciardi:

Yes, thank you. Just very briefly, very brief, I was going to first, first oppose this Bill. Because we've had some problems in Council District 3 where we believe some of these pay phones were being used for illegal activity, i.e., drug deals.

However, once Mr. Cohen championed the cause through his legislation that would address that problem within my Councilmatic District and throughout the City of Pittsburgh, I've decided to vote on this Bill.

I'll talk specifically on Mr. Cohen's Bill, I guess, tomorrow. I just want to thank Mr. Cohen, because while I was addressing the issue just, in particular, from my Councilmatic District, Mr. Cohen addressed it City-wide and I want to thank him for it.

I'm very pleased with the Bill before us then today because it gives the ability for people to use phones to have access to public phones, for emergency reasons and for those people who, obviously, for some reason or not, do not have phones within their homes. So I think it's a good Bill.

However, at the same time, I think Mr. Cohen's Bill, which we'll discuss tomorrow, will make sure that we have good public safety controls over the placement and the usage of these public telephones throughout the City of Pittsburgh. Thank you.

The Chair:

Councilman Onorato.

Mr. Onorato:

On this same Bill, Mr. President, last week at the Committee Session, I mentioned that I would bring forward an amendment to the effect that the City could reserve the right to rescind after 30 day's notice. There wasn't any opposition at that time. I just want to pass this down, so that everybody can have a chance to look at it.

What it basically does is amend this Bill by adding Section 8, which is very simple language.

It reads: The City has the right to give 30 days' notice to rescind the encroachment for problem properties. Therefore, this particular Bill giving it to one company, we're letting them know that we're reserving the right to rescind this encroachment and we want to have that right within 30 day notice requirement as opposed to the standard of 90 days and whatever other procedure they currently follow. So I'm going to put that forward as an amendment, a motion to amend by adding Section 8.

The Chair:

Is this seconded for purposes of discussion?

Second.

Now, on the amendment, Mr. Onorato.

Mr. Onorato:

That's all. I discussed it last Wednesday. I'm just bringing it forward. So if I have a problem property in my District, I want to be able to petition

Public Works, give 30 days' notice to the owner of the company, and have the phones removed as soon as possible.

The Chair:

I just want to clarify, I wasn't here last Wednesday and I was prepared to vote No on Bill No. 1510 the way it is. I am still confused about what is the actual life span of this so-called license? Is this a yearly authorization? I'm still unclear on that.

Mr. Onorato:

I'm dealing strictly with our power of giving encroachment. My understanding of the law, if we have the power to grant in encroachment, we have the power to rescind an encroachment; and I'm just clarifying it in writing.

The Chair:

And, also, I was not here, obviously, and we had asked for a listing of where the actual locations were.

Mr. Ricciardi:

There were 18 locations; and I do believe we did receive it, Mr. President.

The Chair:

Councilman Ricciardi, on the amendment now, if we could focus on it.

Mr. Ricciardi:

Yeah, I'd just like to say I support the amendment before us, as this body knows that we have the ability to repeal any and all encroachments, including the

encroachment for telephones; however, Director Kraszewski stated that the process usually takes 6 months in terms of notification.

I think the sentence before us will hopefully send out a good message we now can repeal an encroachment within 30 days, even though I believe the process is going to take a little longer, because there is going to be notification problems. I would support this today. I would ask Mr. Onorato, who is a lawyer also, I believe the word we might need is "repeal" not "rescind", unless he's done some legal research that I'm not aware of.

Mr. Hertzberg:

Mr. President.

The Chair:

I'm not sure there is a distinction, but may -- Councilman Hertzberg.

Mr. Hertzberg:

Thank you. I was involved in this discussion over the time required to give notice before when these encroachments can be repealed; and Section 5 of the Ordinance, itself, grants a 6-month notice and I'm going to suggest this to Mr. Onorato -- I don't know how much difference it makes -- but my suggestion is: Rather than muddy-up this legislation with the additional section and issues over what's a problem telephone, I'd suggest that we just -- and I ran this by, I believe, the Solicitor's office, as well as Public Works -- just changing the parts of Section 5 that now say 6 months to 1 month.

Mr. Onorato:

I have no problem with that current amendment; and I would ask to have a motion to suspend the Rule, since I don't have it in writing, so that we can make a verbal amendment today.

And I do want to point out, Mr. President, that it is my fault, I forgot, Councilman Udin has been working closely with me, because he and I have been working out some problem Bills and he was supposed to be a co-sponsor; but that was my fault because of this whole week being pretty crazy.

And Councilman Udin, I want to thank you for your help on this Bill.

A motion to suspend the rules of Council so we can make a verbal amendment to change Section 5.

Mr. Hertzberg:

Second.

Mr. Onorato:

And I withdraw my previous motion.

The Chair:

The -- oh, okay. In other words, this amendment would displace what you had originally proposed?

Mr. Onorato:

I'm basically moving my amendment from Section 8 into Section 5.

The Chair:

Okay. There is no objection on the suspension of the rules; and is everybody clear that, basically, Mr. Onorato is offering -- is accepting this as a friendly substitute amendment to the Bill No. 1510?

Mr. Onorato:

Same effect.

The Chair:

So can you just re-state --

Mr. Onorato:

Yes.

The Chair:

-- your specific wording for the Clerk?

Mr. Hertzberg:

Yes. Section 5, Page 2, of the legislation, the third line in Section 5, change from 6 to 1, change the word in line 4 from "months" to "month". Line 5, nothing; line 6, change from 6 to 1 and from months" to "month".

The Chair:

All right. So you're just basically changing within the existing constrict of the language?

Discussion on this Amendment?
Mr. Cohen.

Mr. Cohen:

Thank you, Mr. President. I certainly believe that the Amendment is well intentioned. I guess I have a couple concerns about it; and one is whether it's legal or not. The -- as I said before, the reason that I took out a portion of my legislation dealing with new telephones is because the Solicitor's office has said that that is a barrier to entry.

The Chair:

May I please proceed to offer a point? Would there be any objection to recommitting this for tomorrow? Not to delay it, but given the fact that we don't have the exact wording, Councilman Cohen rightfully is asking for some legal interpretation and he also has a peril or another Bill regarding the telephone issue itself. Would it be that bad if we just recommitted it and try to clarify in finality tomorrow?

Mr. Cohen:

I think that would be prudent, Mr. President, because I think we're all trying to get to the same point here, which is: We all have in our Districts certain problem pay telephones that are being used for drug trafficking. Trafficking, that's the problem. What's the solution?

We're all groping for a solution. I personally think the best solution is to put it in the Public Safety Department, not in the Public Works Department. This is a public safety issue.

The Chair:

Or to, at least, to have some safety review.

Mr. Cohen:

That's right. And to have a process by which there is a public safety review of these public telephones. That is what my legislation does; and also has an ability to have a balancing act. So that the public on the one hand has an opportunity to use these pay phones, especially in terms of emergencies, but at the same time we put restrictions on phones that are being used for drug trafficking. That's what this all comes down to.

I personally think -- and maybe it's because I bias, as Chair on Public Safety -- that that decision ought to rest in the Public Safety Department, not in the Public Works Department.

The Chair:

Well, I don't have a problem with all that, just cut the wire, I'll be quite honest with you. And I encourage other people to do that, and I've done that on several occasions, and I'm proud of it. If you have a drug phone, get it the heck off the street.

I'm still concerned that this Resolution does not include the actual locations and I'm still unclear whether or not this is a kind of -- is there a motion to recommit?

Mr. O'Connor:

Motion to recommit.

Mr. Ricciardi:

Discussion on that.

The Chair:

Mr. Cohen:	Mr. Ricciardi.
Aye on all Bills.	
Deputy Clerk:	Mr. Ricciardi:
Mr. Cusick.	Aye.
Mr. Cusick:	Deputy Clerk:
Aye on all Bills.	Mr. Udin.
Deputy Clerk:	Mr. Udin:
Mr. Hertzberg.	Aye.
Mr. Hertzberg:	Deputy Clerk:
Aye.	Mr. Ferlo, President.
Deputy Clerk:	The Chair:
Ms. McDonald.	Aye.
Ms. McDonald:	Deputy Clerk:
Aye.	AYES 9 NOES NONE.
Deputy Clerk:	The Chair:
Mr. O'Connor.	All of the Bills receiving the legally-required number of votes have been approved finally.
Mr. O'Connor:	Committee on Planning, Zoning, and Land Use.
Aye.	Councilman Onorato.
Deputy Clerk:	Mr. Onorato:
Mr. Onorato.	Mr. President.
Mr. Onorato:	The Chair:
Aye.	Thank you, Councilman.
Deputy Clerk:	The Clerk:

**COUNCILMAN
PRESENTS**

ONORATO

Reported Committee on Planning, Zoning, and Land Use for April 2nd, 1997, with an affirmative recommendation,

Bill No. 1243, An Ordinance amending the Pittsburgh Code, Title 9, by (a) providing a definition for radio or television transmission or receiving tower and providing a definition for minor antenna; (b) revising the administrator exception to allow such towers no more than 100 feet in height in M1, M2, M3, and M4 Districts; (c) by inserting a Conditional Use Exception for such towers over 200 feet in height in all Districts; and (d) by inserting a Conditional Use Exception for such towers over 200 feet in height in all Districts; and (e) by inserting a special exception for such towers between 100 and 200 feet in height in M2, M3, M4 and M3 Districts and less than 201 feet in any other District.

Also,

Bill No. 1757, Resolution authorizing the City of Pittsburgh to submit a Grant Application to and execute relevant agreements with the Pennsylvania Department of Conservation and Natural Resources, under the provisions of the Keystone Recreation Park and Conservation Fund Community Grant Program. Estimated cost of the plans is \$120,000.

The Chair:

You've heard the reading and Title of the Bills. Is there any discussion?

Councilman Onorato.

Mr. Onorato:

Mr. President, on the Telecommunications Bill, our long and painful journey is coming to an end, hopefully, sort of. We're almost there at the finish line. I hate to do this to you, but I have to pass out one final amendment -- and believe me, this is a minor amendment, and I'll explain why.

I thought we had it finished last week, but Councilman Hertzberg, hand in there. You'll appreciate this one, because this could put it to rest, the final nail in the coffin. As it's being passed down, this final amendment only applies to Section 1, which is the administrative approval of putting towers, small minor antennas, I mean, small minor antennas on buildings to promote the buildings as opposed to the building towers; and last week at the Committee Session, I explained that there was some confusion over what the definition of what a minor antenna was.

This is just further clarification of the definition. For example, if you look at the Amendment, what's underlined, we're taking the word out "cellular" phone and using the words "wireless telecommunication" because it's broader and it sort of talks about the industry as opposed to one particular device. The second amendment was a dispute over the 4.5 square feet versus 8 square feet. Since Wednesday until now, the Law Department did a little more research and found out that the 4.5 was for something called PCS technology, which is a certain technology of the industry.

The technology for cellular phones or wireless communication, the smallest size is the 8 square feet. So the 8 square feet will cover both types of technology. This is cleaning up, once again, for minor antenna's only; and finally, the third Amendment, once again, removes cellular telephone to the words "wireless telecommunications." I make a motion for all three of these.

Mr. Udin:

Second.

The Chair:

Second. Any other discussion? All in favor of the amendment? Aye. Discussion on the Bill or related Bills under the Commission.

Councilman Onorato.

Mr. Onorato:

On the Bill as amended, Mr. President, I know it's not quite what you wanted. I think two out of the six of your Amendments are in the Bill and we can dispute the issue of should they all be conditional use or not; but I think today, we're at a point where if a Bill passes, we have a very strong piece of legislation to compare what we currently have. And any changes or adjustments can be made over the years; but this will definitely put proper procedure and, more importantly, allow the residents, the public, to be part of the discussion before a tower appears in their neighborhood, and that was the main thing that I wanted.

From now on, if any tower is going to be built in the neighborhood, they're

going to have at least one shot at a public Hearing in front of the Zoning Board or two shots in front of the Planning Commission and in front of City Council. So there is a procedure. It's more stringent than what was there; and there is a public policy in this Bill that promotes tower -- promotes the antennas on existing buildings as opposed to building new towers throughout the neighborhoods. So maybe we can minimize the amount of towers.

So I think it's a very strong and important first step; and over the years, I'm sure we'll see amendments to it since it is a changing technology and I thank everyone for their effort and time in debating this.

The Chair:

Excuse me. Any other discussion? Obviously, this final Bill I'm totally not pleased with. It's not the Bill I initially recommended, because I think we need a stronger Bill regarding total conditional use and procedures; but having grown up with nine brothers and sisters, I never got what I wanted, anyway. So I'm very satisfied with, very satisfied with this Bill in its final form.

And I think Councilman Onorato's observation is well taken that right now the Code is remiss in not having very strict formal language and procedures in place; and, most importantly, notification to adjoining property owners of the community. And I think we can be proud of a lot of the hard work that's gone into this final Bill as amended. And I think we can move forward and we can always reserve the right to re-introduce and make amendments over the course of the coming years.

Any other discussion? Hearing none, if you are in favor of the Bills, vote Aye when your names are called; if you are opposed, vote No.

Would the Clerk please call the Roll?

Deputy Clerk:

Mr. Cohen.

Mr. Cohen:

Aye on all Bills.

Deputy Clerk:

Mr. Cusick.

Mr. Cusick:

Aye.

Deputy Clerk:

Mr. Hertzberg.

Mr. Hertzberg:

Aye.

Deputy Clerk:

Ms. McDonald.

Ms. McDonald:

Aye.

Deputy Clerk:

Mr. O'Connor.

Mr. O'Connor:

Aye, except, excuse me, I'm going to abstain on one, Bill No. 1757, abstain.

Deputy Clerk:

Mr. Onorato.

Mr. Onorato:

Aye.

Deputy Clerk:

Mr. Ricciardi.

Mr. Ricciardi:

Aye.

Deputy Clerk:

Mr. Udin.

Mr. Udin:

Aye.

Deputy Clerk:

Mr. Ferlo, President.

The Chair:

Aye.

Deputy Clerk:

AYES 9 NOES NONE ABSTAIN 1

The Chair:

All the of the Bills having received the legally-required number of votes have been approved finally.

Committee on Lands, Buildings, and Procurement. Councilman Hertzberg, Chair.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you, Councilman Hertzberg.

The Clerk:

**COUNCILMAN HERTZBERG
PRESENTS**

Reported Committee on Lands, Buildings and Procurement for April 2nd, 1997, with an affirmative recommendation,

Bill No. 1752, Resolution amending Resolution No. 542, effective July 31st, 1996, by providing for the payment of costs, increasing the costs total of \$67,000 for a contract for HDAC modifications in the Department of General Services, Bureau of Cable Communications.

The Chair:

You have heard the reading and Title of the Bills. Is there any discussion?

Hearing none, the Bill is now ready for final action.

All in favor of the passage of the Bills, vote Aye when your name has been called; if opposed, vote No.

Would the Clerk please call the Roll?

Deputy Clerk:

Mr. Cohen.

Mr. Cohen:

Aye.

Deputy Clerk:

Mr. Cusick.

Mr. Cusick:

Aye.

Deputy Clerk:

Mr. Hertzberg.

Mr. Hertzberg:

Aye.

Deputy Clerk:

Ms. McDonald.

Ms. McDonald:

Aye.

Deputy Clerk:

Mr. O'Connor.

Mr. O'Connor:

Aye.

Deputy Clerk:

Mr. Onorato.

Mr. Onorato:

Aye.

Deputy Clerk:

Mr. Ricciardi.

Mr. Ricciardi:

Aye.

Deputy Clerk:

Mr. Udin.

Mr. Udin:

Aye.

Deputy Clerk:

Mr. Ferlo, President.

Deputy Clerk:

AYES 9 NOES NONE

The Chair:

All of the Bills receiving the legally-required number of votes have been approved finally.

**Committee on Public Safety Services,
Councilman Cohen, Chair.**

Mr. Cohen:

Mr. President.

The Chair:

Thank you, Councilman Cohen.

The Clerk:

COUNCILMAN COHEN PRESENTS

Reported Committee on Public Safety Services for April 2nd, 1997, with an affirmative recommendation,

Bill No. 1721, Resolution providing for a contract or use of existing contract and/or agreements for the purchase of three vehicles and related accessories for the Bureau of Police, at a total cost not to exceed \$65,000.

Also,

Bill No. 1722, Resolution amending Resolution No. 788, approved October 12, 1988, which authorizes City Controller to create a special Trust Fund to be designated as the Auto Theft Trust Fund, so as to -- for the deposit of funds and any all -- and all expenses associated with the investigation of auto theft, by permitting the Department of Public Safety to use Trust Funds moneys for additional types of expenditures.

Also,

Bill No. 1723, Resolution repealing Resolution No. 753, effective June 11th, 1993, entitled, "Resolution Providing for a Contract or use of Existing Contracts" to purchase computer Local Area Network for the Emergency Operation Center, costs not to exceed \$35,000.

Also,

Bill No. 1724, Resolution repealing Resolution No. 884, effective November 18th, 1994, entitled "Resolution Providing for a Contract for the Purchase of Multichannel VHF Radio Transmitters for the Emergency Operation Center," at a cost not to exceed \$11,000.

Also,

Bill No. 1724, a Resolution providing for an Agreement for the living consultant for Professional Training Services at a cost not to exceed \$60,000.

The Chair:

You've heard the readings and Titles of the Bills. Is there any discussion? Hearing none, the Bills are now ready for final action.

All in favor of the passage of the Bills, vote Aye when your name is called; if are you opposed, vote No.

Would the Clerk please call the Roll?

Deputy Clerk:

Mr. Cohen.

Mr. Cohen:

Aye on all Bills.

Deputy Clerk:

Mr. Cusick.

Mr. Cusick:

Aye on all Bills.

Deputy Clerk:

Mr. Hertzberg.

Mr. Hertzberg:

Aye.

Deputy Clerk:

Ms. McDonald.

Ms. McDonald:

Aye.

Deputy Clerk:

Mr. O'Connor.

Mr. O'Connor:

Aye.

Deputy Clerk:

Mr. Onorato.

Mr. Onorato:

Aye.

Deputy Clerk:

Mr. Ricciardi.

Mr. Ricciardi:

Aye.

Deputy Clerk:

Mr. Udin.

Mr. Udin:

Aye.

Deputy Clerk:

Mr. Ferlo, President.

The Chair:

Aye.

Deputy Clerk:

AYES 9 NOES NONE.

The Chair:

All of the Bills having received the legally-required number of votes have been approved finally.

Committee on Engineering and Construction. Councilman O'Connor, Chair.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you, Councilman O'Connor.

The Clerk:

COUNCILMAN O'CONNOR PRESENTS

Reported Committee on Engineering and Construction for April 2nd, 1997, with an affirmative recommendation,

Bill No. 1734, Resolution further amending Resolution No. 86, effective March 13th, 1996, entitled "Providing for an Agreement for the -- contracts for the design and construction of the relocation

of the Zone 1 Police Station, by increasing the total project allocation by \$70,000, from \$1,100,000 to \$1,170,000.

Also,

Bill No. 1736, Resolution further amending Resolution No. 976, effective January 1, 1996, entitled "Adopted and Approved the 1996 Capital Budget and the 1996 Community Development Block Grant Program and Approving the 1996 through 2001 Capital Improvement Program," by increasing the Federal North Redevelopment Project line item allocation by \$70,000, from \$1,100,000 to \$1,170,000.

The Chair:

You've heard the reading and Title of the Bills. Is there any discussion? Councilman O'Connor.

Mr. O'Connor:

I have an amendment to Bill No. 1734, and I want to thank Council for holding those two Bills for one week. I think we clarified some of the environmental issues that I had concerns about and Council supported these initiatives. I would also -- I would like to add to Bill 1734 that the Mayor and the City Solicitor are directed to institute the appropriate Legal Cost Recovery Action allowed by law, included but not limited to the Comprehensive Environmental Response Compensation and Liabilities Act in order to effect the recovery of the moneys spent by the City to remedy environmental containment and removal of underground storage tanks.

Basically, what we're doing is to ensure that the tax payers are not stuck with the bill. I want to again thank -- without Council bringing this up last week, I feel we would have been stuck with some of the costs; and over the last few years, the tax payers have spent millions of dollars on a lot of these clean-ups, and this will be a step in the right direction to make sure that doesn't happen again.

The Chair:

Thank you very much.

Any other discussion -- any other discussion on the amendment, that is? Role call vote on the amendment. All in favor of the amendment? Aye. Opposed?

The motion carries.

Thank you.

Any other comments on the remaining Bills?

Hearing none, the Roll Call vote on all of the Bills in the Engineering and Construction Committee.

Deputy Clerk:

Mr. Cohen.

Mr. Cohen:

Aye on all Bills.

Deputy Clerk:

Mr. Cusick.

Mr. Cusick:

Aye.

Deputy Clerk:

Mr. Hertzberg.

Mr. Hertzberg:

Aye.

Deputy Clerk:

Ms. McDonald.

Ms. McDonald:

Aye.

Deputy Clerk:

Mr. O'Connor.

Mr. O'Connor:

Aye.

Deputy Clerk:

Mr. Onorato.

Mr. Onorato:

Aye.

Deputy Clerk:

Mr. Ricciardi.

Mr. Ricciardi:

Aye.

Deputy Clerk:

Mr. Udin.

Mr. Udin:

Aye.

Deputy Clerk:

Mr. Ferlo, President.

The Chair:

Aye.

Deputy Clerk:

AYES 9 NOES NONE.

The Chair:

All of the Bills receiving the legally-required number of votes have been approved finally.

I would ask Mr. O'Connor to please make sure the Clerk's staff has the amendment that you submitted.

That concludes our Reports of Committees Under Motions and Resolutions.

Any matters to be brought before the body?

A couple of brief things, Councilwoman McDonald, first.

Ms. McDonald:

Yes. For all my colleagues, on April 15th, there will be a post-agenda that will be scheduled for the entire Council body. This is not a Valerie McDonald show. This is the City of Pittsburgh. This

Council body needs to enact some legislation; it needs to be proactive in working with the administration to make sure that the fiasco that happened on Saturday, that we would do everything within our power to try to make sure that the tax payers to not pick up the tab for this.

I think it was a disgrace. It is outrageous; and I think it's incumbent on this body as well as the administration to do whatever we can to ensure that this doesn't happen again and we try to go after recovery of the costs.

Just yesterday, a good friend of mine, Vic Walchack (phonetic) with the ACLU FAXed to me the 1995 decision with Forsythe County versus The Nationalist Movement in which the Supreme Court upheld that you can't do that. You cannot live in a municipality to recoup public safety or, yeah, public safety costs could not go after the group that protested or had the parade or whatever. And I have read that Brief. I look forward to -- there are so many of us here on Council body that are attorneys -- look forward to discussing this. I will not take no for an answer, as far as we can't do anything. I don't accept it. I will not accept it. I think this Council party cannot accept no. When I hear no, I will be asking legal counsel, outside consultants, our solicitor's office, director's, whatever, don't give me no, tell me what you can do. That's what you're paid for. Tell me what we can do with the City of Pittsburgh to make sure that our people do not pick up the tab for outside yahoo troublemakers that are causing this -- we are a cash-strapped city; and it's not fair that the tax payers should have to think about: Well, will our taxes go up? Will City

services go down? For, for groups that typically were funded in the past, not to get funded now, for so many services and amenities that the City provided to be shrinking, while they can come in and cost the City tons of money.

I look forward to April 15th. There's a lot of questions that I have in terms of: What were the costs? People have asked me, what do you hope to accomplish?

The first and foremost is, I would hope to accomplish a little bit of public outrage at the cost. I want the public to know how much this costs. I want them to know why they came in, what the administration did, didn't do, couldn't do, whatever, what we need to do better. That's what the public has a right to know. And I would just look forward to getting into it on that day. I would hope that every one of us would be prepared -- as well as all the invitees -- to discuss this. But as far as a public policy, despite the 1992 Supreme Court decision in which there are areas that the city -- I'm not proposing exactly what Forsythe County had as an Ordinance -- but we need to know what we can do in terms of Ordinances, some type of legislation to ensure that we support the right of free speech.

When people are outraged, I want to make sure they have a right to a public forum to state their case, but I don't think -- I think there needs to be a balance in which the public doesn't make up the tab for outsiders. That's what the bone of contention was.

These weren't even us. These were outsiders that came in, and they had nothing to really say, except hideous. So, again, I look forward to April 15th. I'm sure that that will just be a starting point and, hopefully, that we can move forward in continuing the dialogue. There's been threats of other groups, including them, coming back.

If this body sits back and does nothing, I think the tax payers should come at us with all force. We've got to do something. Again, this is not a McDonald thing. This is a City Council body. We've got to work with the administration and, collectively, I look forward to definite teamwork here, brain-storming of ideas. Councilman Ferlo, with his history of activism in knowing what you can do and can't do, I look forward to dialoguing with everyone to find out what we can do, because I know I am committed to making sure that this type of fiasco, that we do everything that we can to make sure that the public doesn't get stuck with the tab, which is what they did.

The Chair:

Thank you, Councilwoman. On this issue, Mr. Cusick.

Mr. Cusick:

Thank you, Mr. President. I, too, have been out door-knocking in recent weeks and have felt the -- how the public is so upset about what we have to pay to allow people to voice their opinion.

I think there is a quicker picture here we need to look at; and that one is that you just mentioned, Councilwoman, and that is that are we going to allow them

to continue to come back and plague our city with a lot of hideous, but, more so than that, that these -- they can continue to do this every month or every so often to us until they break our bank.

I mean, we cannot allow that to happen. This body, as you said, Councilwoman, needs to do something. We need to put a dollar amount on how much we are willing to spend on a particular group when it comes to the public safety. We also have to keep in mind, you know, exactly what we're going to allow our police officers -- how far we're going to allow them to, to -- or our Public Safety Department, provide public safety to these people that want to come in and create nothing but trouble.

Quite frankly, I would have said walk away from all of them on the steps on Saturday; and I think most of us would have said the same. I mean, we, we provided a public safety for people that were basically out there starting trouble. And, I mean, putting link fence up for \$18,000 and police officers -- 38,000 came from the County. And our cost is going to be well over a hundred thousand dollars. I mean, this is crazy. That could happen every month to us, if they decide that; and we cannot, we cannot sit by and allow it to happen.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Mr. President, I think the issue that the courts have struggled with when they're trying to deal with the imposition of costs is that they do not want to make

the wealth of the speaker a determining factor in whether they can exercise their free speech rights, so that you have to balance that potential problem.

That is, for example, a situation where we have individuals that are protesting a certain change in Welfare Law, for example, and, of course, obviously, they are not the people that can afford to pay potential costs. So you -- and for that reason, we don't want to stifle speech by those who may not be able to afford the cost of making those speeches. So that's what we have to struggle with. But I don't think it means that, that we have to just sit here and say we can't do anything. I think there are ways and we have to try to craft something that will pass constitutional muster, as they say, and do the best that we can and still allow these that want to exercise their first amendment rights to do so, but without breaking our budget every time it happens.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

Mr. Hertzberg, I know you did a lot of studying on this before, but I was just looking at -- couldn't there be a possibility of the setting a threshold of, say, anything over \$10,000, that you would have -- they would have to pay. I'm just picking a number -- because we may have set a precedent, you know, we actually started charging, the City started charging all the good groups in the City for using parade routes at costly recovery. I know we all, we all disagreed with it, but, again, legally, if we're charging all the good groups -- whether it be 500 or 2,000, I think the

minimum was something like \$2,000 -- can't we at least tell these groups, legally, that there has been a precedent set so that whether you be the bad guys, such as these gangsters, that they would be -- have to pay some of the costs of recovering it, and that would just keep them out on the legal end?

The Chair:

Well, I'm sure these and many of the other issues we discussed -- I mean, first of all, I think there is the issue of what is a reasonable response in the presence of 39 idiots on the steps of the City Council Building -- and I'm not going to play Monday-morning quarterback or Tuesday-morning quarterback right now; but I do have some grave concerns about how the whole issue was handled. I was not here and I'm just going to refrain at this point from offering some observations and concerns.

I think it's appropriate to hold on those concerns to the April 15th meeting. I would hope that the Commissioners come with their checkbook to that meeting on the 15th. It's clear that possibly Monroeville, which is a small community, much smaller obviously than the City, may have to also incur expenditures which would be totally catastrophic to their operating budget as a small town within Allegheny County; and I'm sure the Commissioners will be prevailed upon by -- whether it would be Monroeville or any other smaller community -- and I think given the wonderful presence that they had in Market Square, I hope that they will put their money where their mouth is and recognize that this response needs to be a coordinated response, not only by the City police, but all the different law

enforcement agencies and I would hope the Commissioners, all three of them, in a non-partisan way, not only for the City of Pittsburgh, but it may have to come up in the Monroeville situation in the future or anywhere else.

So I hope they give some thought to that prior to the Councilwoman's posted meeting on the 15th. And obviously the Law Department, we would ask them to review any and all opportunities for a cost recovery. I don't know if there is any possibility for filing a Civil Rights claim given the character of the speech involved; and I think the courts have indicated that you can't just yell, "Fire," in a crowded theater, that that is not necessarily free speech.

There may be a way for us to construct a legal argument. I would like nothing better than to harass these individuals personally as property owners or in any other way that we can, given the fact that most of these crackers aren't even from City of Pittsburgh, and I think we should go after them and I think we should be creative; and I would ask the Law Department to review that issue.

Any other discussion?
Councilwoman McDonald.

Ms. McDonald:

Just quickly, Mr. President, thank you for the indulgence. I just wanted to end by saying that the Supreme Court decision of 1992 where it -- the Ordinance of this County was struck down was based on an absence of narrowly-drawn reasonable and definite standards to guide for a fee determination. The Ordinance did not contain articulated standards for

determining the amount of the fees, did not require the Administrator to rely on any objective factors or to provide an explanation for the decision and did not provide for the review of the fee decision and it was content based.

So there are some things to be thrown out as far as where they aired; and we just have to make sure we don't err in the same fashion. I do believe where there is a will, there is a way. If you can't move the mountain, go around it; and we have to go around it.

We cannot allow this group to burden the City any more than what it has; and as far as fighting it, as Councilman Ferlo suggested, I think the City should. This is not a political stance. This is -- this basically is an issue of precedence. If we do not fight it now, then we leave ourselves open. There are many good corporations -- as was here for resolutions -- there are foundations that I'm sure will contribute to some type of Trust Fund, some type of help for the City of Pittsburgh to legally fight this. I think the City of Pittsburgh could be on the map as a premiere city as it is -- it's a livable city -- but we also need to be on the floor as far as setting an example for other municipalities.

This is the way we do it here and we do not tolerate the hate, and that is how we got it done and maybe you all need to learn.

So, again, I think this is an opportunity for the City, but we have to act post-haste on this. We cannot give it too much time; and I will be giving you copies of what Vic mailed me from the ACLU. I think we need to work with the ACLU on

this, because they're the experts in knowing what you can do and what you can't do.

So, again, I think it's going to be a collective decision or a collective dialogue. Thank you.

The Chair:

Thank you very much. Any other comments?

Councilman O'Connor.

Mr. O'Connor:

I heard what the Mayor of Detroit did, he said he handed them the permit and said, here's your permit, but we don't have any money for police protection; and they went the other way.

Ms. McDonald:

If they want to come, they can go right on down Formosa Way. I think people are ready. Go down to Formosa.

Mr. O'Connor:

I'll pack them a lunch and they can go down there.

The Chair:

I'm sure it's going to be a spirited discussion on the 15th nonetheless. If there is no objection, I think on behalf of all of the Council, I think we would like to extend a formal letter to all the law enforcement personnel, the state police, the county police, the county sheriffs office, our own city police, Commander Costa and his officers, the COP officers.

I spent an hour and-a-half at the fence, the notorious fence. I left Market Square early and I must state very clear that I thought the COP officers that were in the first perimeter behind the fence did an awfully great job and that they're to be commended for their high level of patience and tolerance. I was there.

I am not offended by what I thought was righteous indignation and anger on the part of a lot of good people at the Klan who chose not to go to Market Square, but to 2500 at least along with myself for observation purposes were out in front of the City-County Building. I'm not offended by that. I applaud the anger. I think, unfortunately, there were a few hotheads, including some provocateurs that I witnessed and interacted with, to separate them from others in the crowd, and I think Commander Costa -- and his crew in particular -- are to be commended for a high level of -- a high degree of patience because had there been one macing incident, that fence would have been down and we would have had a very bad situation.

So I think we should send a letter to the various law enforcement personnel applauding and thanking them for their very professional and hard work that day. So I'll draft something up; we can all sign it.

Just in closing, if there is any other matter, I did want to call a post-agenda for April 29th at 11 o'clock immediately following the Tuesday Council session. This is a request in communication from Mr. David Hughes, who is active in a group call Citizen Power and I know he's been in touch with Doug Shields from Councilman O'Connor's office,

Councilman Cohen's office. Also, this involves basically the Electric Generation Customer Choice and Competition Act.

As you know, I know it seems confusing, but come August 1st, Duquesne Light will make a formal presentation to the Public Utilities Commission regarding this issue of customer choice of electric service and utility rates service. It's a very complicated situation. I'm still not clear the consumers have been protected and now to even complicate this issue even more is this, as far as I'm concerned, the very grave concern about the creation of a very large monopoly now with the merger of Duquesne Light with Allegheny Power. There are a lot of concerns raised now and we're hoping to try to educate the public about what the choices are come August 1 to the PUC. So I would ask that Council please participate. Mr. Hughes will be there. As well, he's assembled some experts from Duquesne University and others, who are both financial people and utility experts.

I think it's going to be a high level of discussion and a very important discussion to the rate payers here in the City of Pittsburgh. So this will be on April 29th at 11 a.m. with Citizens Power and various representatives. Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President. I'm very pleased that you've raised this point. At times, it appears that the consumer just cannot win when it comes to the utilities. For example, the URA rightfully, a few weeks ago, under the leadership of Councilman Hertzberg, voted that the South Side Works -- that's the former LTV

site in the South Side-- that we were going to enter into an agreement with Allegheny Power in order to take on their electric power; and all of a sudden, you know, we thought that we would have fine competition in the South Side and we hear about this merger.

So it appears when someone stood up in the South Side and said, we're going to have 500-plus units, we're going to have a bunch of retail space, we're going to actually go out for competition, we're not going to say it's Duquesne Light customers, but we're going to look towards Allegheny Power. We passed a Resolution.

What happened yesterday or I believe the day before, there is a merger of the two. So, you know, I'm not accepting this merger on its face value, on its face. I'm very concerned. I'm very upset about it. Every time the consumer stands up and says competition is here, we're willing to look at the other utility, what happens? There's another monopoly in town. So I'm very pleased that you brought that up. I'm looking forward to hearing the details.

The Chair:

Thank you very much. Again, I'm personally intervening in that matter. This will be reviewed by both the PUC and the FERC, the FERC, regarding the so-called merger and I would hope at some point maybe the Law Department, representing the City as a municipality, should also be represented, good, bad, or indifferently. I have major reservations, but I hope that on the 15th or, excuse me, on the 29th, we can deal with some of these other issues. With that, if any of my colleagues would like to participate in this press conference

immediately following regarding a proposal of the state senate regarding the winfall in the state revenue in dealing realistically with the advent of so-called Welfare reformity or reform is the fact that so many people no longer have some basic sustenance and the issue is whether or not that we can be creative in developing a, a meaningful Jobs Program; and that press conference with the Mon Valley Unemployed Committee will be immediately following this Council session.

With that, thank you.

This Council session stands adjourned.

Thank you.

ATTEST

LINDA M. JOHNSON-WASLER
CITY CLERK

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ONE-HUNDRED THIRTY-FIRST COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO.....Deputy Clerk

Pittsburgh, PA
Tuesday, April 15, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo (Pres't)
Mr. O'Connor	

The Chair:

Good morning everyone. We have a number of guests in the audience. At this time, would you please rise for the pledge of allegiance, and would you please remain standing for a moment of silent of prayer so that we may have peace throughout the world.

We're very pleased to have a sixth grade student here this morning, Duane Chatfield. Duane is in from Milliones Middle School in Councilman Sala Udin's district. He's 11 years old and he's

accompanied by his school counselor, Ms. Glenda Mayo. Good morning. And Duane is going to lead us in the Pledge of Allegiance.

(Where upon, the Pledge of Allegiance was conducted.)

The Chair:

Thank you. Thank you Duane. We appreciate you and your counselor for coming down today, and our City Clerk would like to present you with a flag of our nation and a flag of our City.

PRESENTATIONS

The Chair:

We have some small children in the audience this morning. So we're going to ask Councilman Onorato to bring some of the folks up from the Children's Museum first and then we'll go right to our representatives from the Iron City Brewery, the work force. Councilman Onorato.

Mr. Onorato:

All the representatives and anyone associated with the Children's Museum, please come forward. I hear them.

The Chair:

It's hard to manage three year olds, so we're going to get everybody up here right now.

Mr. Onorato:

Maggie Forbes, executive director of Children's Museum. Are they coming forward?

The Chair:

Hi, come on up. We may need Councilman Cohen up here to help out.

Mr. Onorato:

The whole crew here. Maggie, I'm going to let you do the introductions. We'll get to you in a little -- Maggie Forbes, the executive director of Children's Museum, I'm going to read the proclamation and turn it over to Maggie and she can introduce the guests that are with us today.

MR. ONORATO PRESENTS

Resolution No. 1817

WHEREAS, the Pittsburgh Association for the Education of Young Children, Pittsburgh Children's Museum and other local organizations in conjunction with the National Association for the Education of Young Children are celebrating the Week of the Young Child, April 13th through April 19th, 1997.

WHEREAS, by calling attention to the need for high quality early childhood services for all children and family within our community and state, these groups hope to improve the quality and availability of such services.

WHEREAS, the future of our community and state depends on the

quality of early childhood experiences prove to young children today.

WHEREAS, high quality early childhood services represent a worthy commitment to our children's future.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim April 13th through April 19th as the week of the Young Child in Pittsburgh and urge all citizens to recognize and support the needs of young children in our community.

Before I turn this over to Maggie Forbes, I do want to say, Maggie, you are probably the strongest advocate for children in the community. If anyone hasn't been over to the Children's Museum, please put some time in your schedule to go see it. But more importantly, Maggie never let's me forget that these individuals here seem to be the forgotten constituency in the country a lot of times because they don't have the power to vote. And unfortunately, she's accurate a lot of times. So we try to raise the conscience of all the elected officials every year so the young people of Pittsburgh and America -- well, I figure they'll vote real soon, have a voice on Council and other levels of government.

At this time, Maggie please come forward.

Maggie Forbes:

Thank you, Dan. I'm just going to speak very, very briefly and I will introduce some people here.

I just want to say something. I was thinking back about what I wanted to say today, and I was remembering when I was

about six or seven and thought I really had a worldly outlook and asked my mother sort of challenging, how come there's a Mother's Day and there's a Father's Day, and there's not a Kid's Day. Well, my mother was the classic baby boomer mother with three under three and the fourth one yet to come, and of course, she responded to me that every day was Children's Day. But I think that that's something that may be easy to say. And as we look here, we all smile and we're all enchanted by these children, but it doesn't always translate to our actions or our services. We have to remember that I think one thing that should unite us all is our youngest children.

I'm an eternal optimist. And I feel that you don't have to make things perfect to make them better, but if we did better by our youngest children, we would do better by ourselves, by our society, and that's where we have to start and we have to unite on that.

This is the Week of the Young Child. And there are many things we are celebrating. I have to thank Columbia Gas for sponsoring it, the Children's Museum, the Carnegie Library Beechwood, the Carnegie Natural History Museum, we are all offering special programs. We're having a free day Thursday at the Children's Museum. We'll be open ten to six. So if you want to join the crowd, please come. And I also just want to say I've brought the Children's Museum's annual report. I gather it's been seen in City Council. It tells our story, it is the story of children. Please remember it. And let me then introduce people here.

Georgia Hernandez is the president of PAEYC, the Pittsburgh Association for the Education of Young Children.

And, Dan, I thank you for your kind words on behalf of me. But the people who are working in early childhood programs are the real heroes, the mothers, the teachers who are working with kids day in and day on a very engaged level.

We also brought Martha here, in glasses, and Shawn, and Laura and is that Madeline over there -- to be here and to just remind you what we're all here for. And I don't know, Georgia if you wanted to add --

Mr. Onorato:

Please.

Georgia Hernandez:

Thank you. She's already introduced me, but I just want to thank you for proclaiming this week. I think it's a special important week. You know children -- early childhood professionals have known for a long time that the early years are the learning years. But most recently, there's been brain research demonstrating that the first three years of life are critical. And brain development is affected by genetics and prenatal care. But it also has a great deal to do with it is the stimulus and the stimuli that young children and infants receive. And that's part of what early childhood professionals do. So now more than ever, people know the importance of our work, and I thank you again.

Mr. Onorato:

Thank you. Once we get ahold of all these kids, we're going to have a quick photo here, and then we'll move on. Hey guys over here.

Maggie Forbes:

Dan, I wanted to thank you for the audience development you're doing for the Children's Museum, I gather Dan has a new baby boy to add to your two daughters.

Mr. Onorato:

Yes, I'm going to keep your Museum filled.

Maggie Forbes:

Thank you for letting us go first.

Mr. Onorato:

Bye. Councilman Cohen and Councilman Ferlo and hopefully on behalf of all our colleagues.

Mr. Cohen:

Mr. President, I'd like to put in a bid to be a consultant to childproof the City Council Chambers. I didn't think we had to do that, but we might.

Would Director Shea and the brewery workers please come up?

Members of Council, members of the audience, this is a special proclamation that we have this morning. You know, Iron City has a 135-year tradition in Pittsburgh. It's Pittsburgh's beer. But we also have a tradition in Pittsburgh and that is of working together to resolve our differences. And that's what this resolution this morning calls for. To resolve our differences through

negotiations with the Three Rivers Labor Management Committee.

We have another tradition in Pittsburgh, too, and that is that we have to respect workers' rights and we still have, there's still 50 workers, approximately 50 workers, at Pittsburgh Brewing who are without their jobs and without their health benefits. That is a Pittsburgh tradition of respecting workers that we need to commit to, and that this company should commit itself to.

You know, I was talking with some of the folks who are here this morning. And if you take all of the workers who were terminated and add up the seniority of all those workers, you'll have over 1,000 years of seniority that is reflected before you today. So we need Pittsburgh Brewery to come back to the table and to resume negotiations through the Three Rivers Labor Management Committee. And I'd like to read this proclamation on their behalf.

MR. COHEN PRESENTS

Resolution No. 1818

WHEREAS, over a 135 years -- for 135 years, Pittsburgh Brewing has been a Pittsburgh landmark.

WHEREAS, this tradition with Pittsburgh has been evidenced through the pride and dedication of Pittsburgh Brewery workers.

WHEREAS, since mid-March 50 workers have been left without their jobs or any health insurance or other benefits.

WHEREAS, management and workers have a collective bargaining agreement which doesn't expire until 1999.

WHEREAS, it is in the best interest for all involved to resolve this problem and restore the image of Pittsburgh Brewery.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recommended and support the efforts of the workers of Pittsburgh Brewing and urges both sides to resolve their differences through continued negotiations with the Three Rivers Labor Management Committee to make Pittsburgh Brewing competitive and profitable while maintaining a good working labor environment.

Mr. Cohen:

Thank you members of Council, thank all for coming down here today, we appreciate it. You know, there are stories in this dispute that tug at my heart strings, and I'm sure they will to yours.

One workers who was terminated, had a stroke, is now in a hospital in a coma, and does not have health benefits. That's the kind of personal story that's involved in this case here. And what I'd like to do is turn it over to Councilman Ferlo to say a few words and then present this proclamation to Director Shea who as all of you know is director of IUE. Councilman Ferlo.

The Chair:

Members of Council, I think it's well known that the brewery happens to be in Lawrenceville, my Council District, but

I think it's also well-known that all of our colleagues together share a concern because this is a company that's not parochial to any one neighborhood. This is a company that's been a mainstay to the City of Pittsburgh. And everyone that we represent for more than a hundred years, and every colleague has come to me in the last few weeks saying, what's going on, and very upset about the crises really that has unfolded there in the last few months. And I know the administration, the mayor has made calls and we've talked many occasion, and we've had the good assistance with the Three Rivers Labor Management Committee since this past October and November.

I think rather than talk about the past and, you know, recount the situation that has now created this predicament, I'd rather look towards the future. And the future is that this is a great company that we want to keep in Pittsburgh. We want it to remain competitive.

But the fact of the matter is, and nobody should know this better than the company, they have a collective bargaining agreement. It's pretty readable, it's not something you need to spend a lot of legal expertise reading. If there's any effort on the part of the company who may want a desire -- a change in that collective bargaining agreement, whether it be work rules, whether it be scheduling, whether it be the resources that they're putting into the work force, they have an obligation to open up those issues formally through the union and bargain in good faith.

Maybe some of the barricades are not easily drawn in terms of being a typical situation where it's cut and dry. There are some gray areas here. But we're not

interested in gray areas. We're interested in both sides getting together to keep a great Pittsburgh company and decent paying jobs with fringe benefits working, not only for this work force and the past work force, but for the future work forces that sometime in the future also want an opportunity to earn a decent income and raise a family off of that salary.

And so there's a certain crossroads that we're at right now with this company and with this work force. And I guess I'm making a personal appeal Mr. Picciarelli and others at the Pittsburgh Brewing Company at the company level, and also to the union that they need to sit down. And I think the union clearly is willing to sit down, but I think it's got to be not in the courtroom fighting each other with the attorneys and wasting a lot of time and money and at the same time a company that has a great rapport among the consumer. There are a lot of people that buy and drink Iron City Beer not because for any other reason than it's a great local union beer, and they have a parochial identification and loyalty to this beer, much the same way they had with Braun's Baking Company when it was on North Side, and much the same way we have Clark Candy or going to the Steeler game. We don't want to lose that, and I hope the company appreciates the tenuous situation they're in right now. We do not want to lose that. We don't want the consumer or the guy like me who goes and gets a slug and a mug once in awhile after work to lose interest or faith in this product. That's the worst thing that could happen right now.

So we're at a pivotal crossroads right now. And I'm calling clearly, and I think Councilman Cohen, and I think all of

us together, this Council join with one voice in asking the company to sit down, bargain in good faith, use the resources and talents and the Three Rivers Area Management Committee whose been involved since October, and let's try to bring this to some resolution. We should not be fighting, we should all be out there collectively as the union as the rank and file, as the community, as council, really promoting this product and making it the viable product that it can be well into the future.

So, again, obviously I'm in support of the proclamation, and I hope that just bringing this into some focus can try to get everybody to take two steps back, take a deep breath, look at this with a fresh look, and let's really move on and resolve this. Thank you very much.

Mr. Cohen:

Thank you. Counsel members, I regret also that I should have asked each and every one of you to co-sponsor this, that's my fault. I've been running around a lot lately, but anybody who would like to, we'd certainly like to have you on board, and I'm sure you will be on board.

Aside from Jack Shea, we also have Larry Van who is the president of Local 144 and Tom Sweeney who's the business agent. So thank you both for coming here today. And I'd like to present this proclamation to director Jack Shea. Jack.

Jack Shea:

I'd first like to thank City Council, a lot of yins I've talked to personally about this situation. Some of yins have had meetings. Councilman Ricciardi has had

meetings at one of our BA's home early on in the process to try to square things away. I've talked to Joe about it, and many of yins I've talked about it.

You know, I'm going to be very brief. This is a very, very simple thing to resolve. All that Mr. Piccarilli has to do is recall the discharged workers. And any issues that are left standing after that we'll certainly sit down and we'll discuss with them over the bargaining table and come to a reasonable conclusion. What we have here is that he promised that he was going to at least recall 90 percent of the workers. Well, we're far from that number of 90 percent, and quite frankly, the ones that are going to be recalled and have not been recalled are still out there without any unemployment, without any health insurance, and quite frankly we're very, very financially strapped.

So I do appreciate the City Council for supporting the workers of the Pittsburgh Brewery and their families, by the way. There's a lot of families here. Now, we always talk about the worker, the guy that's doing the work, but behind the worker we have the wives, we have the children, and it's very important to understand that these folks are impacted by what's going on here today.

And, again, we've been representing Pittsburgh Brewery for a lot of years, and we're going to continue to represent Pittsburgh Brewery and the workers out there. The union is not going to go away. And you can take that to the bank. So he's going to have to deal with us. And the sooner the better. And like I say, we'd like to do it across the bargaining table, that's the only way that it make sense. And I wholeheartedly support the

fact that Three Rivers Labor Management should be involved in this thing.

I was part of the Pittsburgh pledge, I believe in that. I don't believe it was just something that we did. I believe in it very strongly. And so I thank you, again. And what I would like to do is turn it over to Tom Sweeney, the BA, and let him say a few words. Thank you.

Tom Sweeney:

Good morning. Good morning. My name is Tom Sweeney, and I'm the business agent for Beer Bottlers 144. And I want to thank Councilman Cohen and all the City Council for all the help they've given us in this very trying time. Just one other thing I'd like to say is really the support we got from City Council, from the Mayor, and from the people of Pittsburgh and from the whole area means a whole lot to us. And speaking for the membership of 144 and myself, I just wanted to say thank you very much.

The Chair:

Councilwoman McDonald, I believe you have a proclamation.

Ms. McDonald:

Yes, I do. Would representatives of Lambda Lambda Zeta Sorority please come forward. Okay, we have Bessie Baker.

Bessie Butler:

Butler.

Ms. McDonald:

Oh, I'm sorry, Butler, Barbara Coffee, Towaney Phelps Jackson, she's going to accept the resolution and Olla Bryce Beckam. Thank you, ladies. I'll read the resolution.

MS. MCDONALD PRESENTS

Resolution No. 1819

WHEREAS, on April 18th, 1997, Lambda Lambda Zeta chapter of Zeta Phi Beta Sorority, Inc. will host the Pennsylvania State Leadership Meeting. The highlight of the meeting will be the luncheon speaker, Mrs. Alzada Hacker, former first lady of Shiloh Community Missionary Baptist Church;

WHEREAS, Mrs. Alzada Crockett Hacker was born October 9, 1907, in Jacksonville, Florida. She attended Fisk University in Nashville, Tennessee where she became a member of Zeta Phi Beta Sorority, Inc. in 1929. Mrs. Hacker married the late Rev. C. Leroy Hacker, Sr., pastor of Shiloh Community Missionary Baptist Church in Homewood June 3, 1934. She is the mother of three children, Rear Admiral Benjamin T. Hacker, Mrs. Laroilyn A. Davis, and Coleman L. Hacker, Jr. and she is also a grandmother of seven and a great-grandmother of eight;

WHEREAS, Mrs. Hacker was a member of the Gamma Lambda Zeta Chapter of Zeta Phi Beta Sorority, Inc. at Bethune Cookman College in Daytona Beach, Florida from 1945-1951 and became a member of the Pittsburgh Chapter, Lambda Lambda Zeta, in 1989;

WHEREAS, Alzada Hacker has made sizable contributions to the community through her involvement in

many different activities. She has served as president of the Interdenominational Minister's Wives and Widows Group as well as president of the Pittsburgh Chapter of National Council of Negro Women. She did post-graduate study in music at Northwestern University, Juilliard School of Music, and Howard University. Mrs. Hacker served in the Pittsburgh Public School system for eleven years, teaching music at Schenley High School and McKelvey Elementary School.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh honors Mrs. Alzada Crockett Hacker for numerous community contributions.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh congratulates the Lambda Lambda Zeta chapter of Zeta Phi Beta Sorority, Inc., as it hosts the state leadership meeting and we welcome all participants to Pittsburgh.

Ms. McDonald:

This is the second or third resolution Council has sponsored for a historically black fraternity or sorority coming to the City of Pittsburgh for a regional conference of some sort. We just hosted Alpha Phi Alpha, now we're hosting Zeta Phi Beta, these are all sororities that I know from going to Pitt, so I know the Zetas very well.

And we just want to congratulate you and thank you for bringing the state leadership to the City of Pittsburgh. And we just want to make sure that everyone does have a good time, that the Council of the City of Pittsburgh is behind many of

our historically black fraternities and sororities. We welcome them and we want to increase this type of visitation to the City of Pittsburgh. This just seems like this is a start to the culmination when we have delegates from the NAACP. We want to make sure the City is on the map, that we welcome all people. In fact, we want all people here in the City of Pittsburgh. So thank you very much and now we're going to -- I'm going to present this to Ms. Phelps Jackson who will have some remarks. Mrs. Jackson.

Towaney Phelps Jackson:

Thank you. On behalf of Mrs. Alzeda Hacker, she wasn't able to be in attendance today as she had previous engagement. But she was truly honored that we were able to ask Councilwoman McDonald to present the proclamation for her. She has been a hard worker for many, many years. She is a young woman and she is very active. We're very pleased to have Zora Hacker involved with our chapter and she adds lots of wisdom to the organization. She's a great guide to us and she's a great example and role model. And we're just pleased that she was able to receive this, and we're just sorry that she wasn't able to be in attendance today. And we are inviting you to come out. We'll be at the Greentree Best Western this weekend. Saturday will be our keynote luncheon speaker, Ms. Hacker. She will come and speak to us about her friendship, long-time friendship with noted literary giant Zora Neale Hurston, and also her good, good friend, Mary McCloud Bethune. So you are in for a treat if you're able to come out which will be this Saturday from 11:00 to 1:00. And, again, thank you very much.

The Chair:

Thank you. Councilman O'Connor.

Mr. O'Connor:

Ellen Woods from St. Francis, please come up. I apologize, the sisters from St. Francis couldn't make it today, they have a visiting cardinal mass in a few minutes at St. Francis. They'll be honoring him there. And just to think they gave up City Council for a cardinal. This is our 10th anniversary. We just concluded a great dinner. We had over 1200 people at the Courage to Come Back dinner and something I've been involved with for ten years.

MR. O'CONNOR PRESENTS

Resolution No. 1820

WHEREAS, the St. Francis Health Foundation presents its courage to come back awards annual fundraiser for health care for the underprivileged of Pittsburgh, and to recognize people who have quietly and courageously recovered from personal health battles.

WHEREAS, Rocky Blier, chairman of the Courage to Come Back awards and Chairpersons Howard Baldwin, John Connelly, Liz Miles, and Liz did a tremendous job, Jim Roddy and myself, Bob O'Connor, presented the 1997 awards to the tenth annual Courage to Come Back awards dinner. The following award recipients are testaments to the human spirit who move their lives forward despite overwhelming adversity, and have demonstrated remarkable courage and as examples to their peers in the following

categories: Nancy Abel from Mental Health, Fred Frese for Special Award, Mental Health; Jamie Posey for Chemical Dependency, Jamie is a resident of East Liberty, and did a tremendous job coming back from her problems, Kathleen Smead, Economic Adversity, Thomas Sray from Physical Rehab, Jay Styperk of the Penguin Youth Award, and Joelle Suchy in General Medicine and she is a graduate student at the University of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Saint Francis Health Foundation and the Courage to Come Back Campaign for their vital efforts to improve the lives of the citizens of Pittsburgh.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate this year's Courage to Come Back Award recipients for their inspiring strength and courage and declare Saturday April 12, 1997, as "Courage to Come Back Day" in the City of Pittsburgh.

Mr. O'Connor:

Ellen, you're here representing St. Francis. You want to accept this?

Ellen Woods:

Thank you very much. The Courage to Come Back did celebrate, as Bob mentioned, its 10th anniversary. We were very pleased with over 1200 people attending the dinner. The dinner this year raised more than a half a million dollars. It was highly successful.

The campaign itself has had a lot of impact on the community by de-stigmatizing mental health issues and chemical dependency issues honoring local people who have made great strides in their life. And more than that, the campaign has spread to other cities. The campaign is also in Toronto, Canada, it's in Philadelphia, Buffalo, Erie, and soon to be in Vancouver. We're very pleased to be a part of that and also pleased to have Bob O'Connor as our board member leading the charge. Thank you.

Mr. Ricciardi:

Mr. President.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

While the photo is being taken, I just want to take this opportunity to really salute all those individuals that have had the courage to come back and face adversity, for whatever reason. I mean, they are true heroes that have shown real strength, both faith in God, and in terms of their own physical ability and the many people who have really helped them come back. I've had an opportunity in the past to attend a dinner because of personal reasons, and I just wanted to say they are true, true good fine people and it's a great program. And congratulations to St. Francis also for really starting it up, and it's really given a lot of people the reason to come back or the hope, and I just really want to congratulate all of you. Thank you.

Mr. O'Connor:

Paula McWilliams from AT&T, please come up.

And I believe this resolution should be shared by all Council members. I know a lot of you have worked on this. I think President Ferlo and I know Gene Ricciardi has been very active with the school crossing guards. In fact, Gene found money to bring nine additional guards on, and we look forward to them coming on soon. But this is something my office has been working with since November.

When I heard about AT&T had on all small scale given out some of the phones and I approached them and we said why not give them to all the crossing guards, because I think one of the major issues in our city or problems we're facing so much traffic in the last 5, 7 years.

Pittsburgh has been pretty far behind on mass transit and subways, and unfortunately, all the traffic is dumped onto our neighbor streets, and you've seen some of the unfortunate tragedies we've had. I believe the crossing guards are first line to safety and to prevent some of these accidents in case they do happen where they can have a phone and call 911 instantly, instead of running to -- looking for a pay phone or looking for a neighbor. It actually dawned on me when some of the isolated corners, even if there are homes, since I've doing a lot of door knocking, people aren't home anymore, you know. Everybody in the family has to work. So imagine an accident and one of the crossing guards going to a couple homes and having to go to three or four before they find somebody with a phone to call the emergencies.

So I want to really thank AT&T for putting this together. And we're not going to stop here, this is only the start with the crossing guards. We're looking to put on school buses, and even in our parks, our regional parks. I think that will be next. But I'll read the resolution on behalf of all Council.

MR. O'CONNOR PRESENTS

Resolution No. 1821

WHEREAS, AT&T Wireless Services has been providing quality communications to Pittsburghers for several years.

WHEREAS, on Friday, April 11th, AT&T Wireless Service agreed to donate 50 cellular phones and air time to the City of Pittsburgh for use by the Pittsburgh school crossing guards.

WHEREAS, thousands of children rely on the protection of school crossing guards to make their walks to and from city schools safer and more secure.

WHEREAS, the cellular phones will add a degree of safety to our children and our neighborhoods by providing another line of communications and another set of eyes and ears in the community.

WHEREAS, Pittsburghers are well-served by the partnership between AT&T and the City of Pittsburgh, and express their sincere thanks to Paula McWilliams of AT&T for her hard work on this project.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend AT&T Wireless and their dedication and commitment to the safety of Pittsburgh school children.

Paula McWilliams:

On behalf of the over 600 employees of AT&T Wireless Services here in the City of Pittsburgh, I'm honored to accept the proclamation on everyone's behalf. And I'd particularly like to thank Councilman O'Connor for picking up the phone and calling us last fall and encouraging us to add the crossing guards to our existing public safety grants for young people, and you the members of City Council, for their support on our ongoing public and private partnership. And we look forward to expanding it and enhancing it in the future. So again, thank you very much.

The Chair:

Thank you. Councilman Onorato.

Mr. Onorato:

Would anyone associated with the Center for Victims of Violent Crime please come forward?

We have Nancy Wells, the executive director of the center, and Nancy, I'm going to let you introduce everyone when you come up here, okay?

Nancy Wells:

That's fine.

Mr. Onorato:

Come over here everyone. I also have the pleasure of being a board member to this very important group. I feel that it's a group that fill a void in our society. It seems like all of our programs that are in place to help a lot of people, but this group seemed to fall through the cracks, and I think the center has done a great job and I'm proud to be associated with it, helping the victims in this country deal with a lot of their problems and traumas after they've been a victim of a crime.

MR. ONORATO PRESENTS

Resolution 1822

WHEREAS, one violent crime is committed in American every 18 seconds;

WHEREAS, 36.9 million Americans are victimized in the United States each year, of those 9.9 million are victims of violent crime.

WHEREAS, crime victims play an indispensable role in bringing offenders to justice.

WHEREAS, law abiding citizens are no less deserving of justice, rights, resources, restoration, rehabilitation than the violent offenders who victimize them.

WHEREAS, crime victims and their advocates over the past two decades have made unparalleled progress toward balancing the scales of justice in our criminal justice system.

WHEREAS, the bells of liberty and justice are ringing across America in support of the millions of survivors of

crime, their families and advocates who deserve justice;

WHEREAS, as a nation devoted to liberty and justice for all, America must increase its efforts to protect and restore crime victims' rights.

WHEREAS, the Center for Victims of Violent Crime is joining forces with victim service programs, criminal justice officials, and concerned citizens throughout the City of Pittsburgh and America to observe National Crime Victims' Rights week.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby designate the week of April 13th through April 19th, 1997 as Pittsburgh Victims' Rights Week;

FURTHER BE IT RESOLVED, that the Council of the City of Pittsburgh reaffirms the commitment to address victims' rights and criminal justice issues during 1997, Pittsburgh Crime Victims' Rights Week and throughout the year.

Mr. Onorato:

Nancy Wells is one of those individuals that you might not see that often but works 24 hours a day to be an advocate for these individuals in society. A group, like I said, that's easy to forget. We had two groups in today, one being the children of this City and this country, and here's another group that for some reason needs groups like this of advocates for them. And I'm glad that this group exists, and Nancy, I just got to thank you for all the time you put it in. And after you say a few words, if you could also maybe put a plug in for what's going on this week at the

fundraiser. Take advantage of it, it's being cable cast, maybe we'll get some tickets sold today. Please introduce everyone with us.

Nancy Wells:

Let me just take a moment to introduce the people from The Center for Victims who are present here this morning. They do not frequently get the limelight, however, they deserve it. Let me introduce first Helen Evans, who is standing to the rear here next to Councilman Onorato. Helen is the victim witness manager at our center.

Next to her, Mickey Feedler, who is the coordinator of volunteer services. Directly behind Mickey is Patrice Alwagga who works with victim impact statements and assists victims in preparing those statements. Next to her is Ursula Smeedberg who keeps us in fiscal order, if such a thing is possible. And finally next to her is the associate director of the center, Mary Fangrouper. I want to take this opportunity to thank these important people for ensuring that the services get delivered.

I simply carry some of the freight up front, these people do the work. It -- I was thinking as I was sitting and listening to the other presentations this morning that in so many respects, this has been a good year in the City of Pittsburgh with respect to the rights and needs of crime victims. Certainly there has been a significant decline in the number of violent crimes perpetrated in our city as there has been across the country. And that's a very encouraging thing, and we're very, very gratified to see that occurring. And we will work our very hardest to ensure that

that decline continues. At the same time, it's been a difficult year in terms of your City's response to victims of crime. And it's been a year during which we've recognized that we have work to do in terms of ensuring equity and ensuring consistency of response to victims of crime. So that all victims get treated with the same dignity, the same respect and the same care.

It's been a mixed year in many ways. But we're also in an era where crime victims are getting, I think, for the first time, some of the focus and some of the resources and some of the attention that they so urgently need and so very richly deserve.

This Council and the City have been important in making that happen. And we want to express our gratitude to you. Council has been generous and we feel certain that that will continue. We hope that we can be responsive as you see needs that we can assist with where crime victims are concerned. We want to be available and we hope that you'll call on us for that. And finally, we thank you for this proclamation and we would urge you to come.

Mr. Onorato:

The plug.

Nancy Wells:

The plug, are you ready? Come across the Birmingham Bridge this Sunday between the hours of six and ten in the evening and stop at Shootz, which is an exceptional billiard parlor. Shootz is presenting what it's calling a Black Tie/Blue Jeans and Billiards night on

behalf of The Center for Victims of Violent Crime. It's going to be a fun evening. There are going to be some stars there. If you're into billiards and pool, the same Mizerak (phonetic) may mean something to you. I'm learning. There's going to be some brilliant pool being played that evening and some fun for all of us. We hope you'll think about coming. If you're interested, come to the door or call the center in advance. Thank you so much.

The Chair:

Thank you Nancy. Councilman Cohen.

Mr. Cohen:

Mr. President, briefly, I also want to congratulate The Center for Victims of Violent Crime and Nancy Wells who does such a good representing the organization. This council has been very generous, I think, in the past with The Center for Victims of Violent Crime, and we will in the future, because you were such a good organization, and I commend Councilman Dan Onorato for putting forward this resolution. I hope you have a successful fundraiser. Congratulations.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I want to -- I'll be there, we bought some tickets, and I'll challenge any of my colleagues, in fact, any politician. If they can beat me at pool, I'll double their pay --

The Chair:

Their pay or their donation?

Mr. O'Connor:

Their donation, their donation to your cause, all right? I'll be there, any politician -- I'll challenge any politician in a game of pool, and I'll pay their way if they win, all right?

The Chair:

We might have to get Tom Murphy and Chaston Roston out there.

Mr. O'Connor:

I'll triple if Murphy beats me. What are you thinking about, Cusick, are you going to come or what? You guys in Brookline got pool tables.

Mr. Cusick:

Be there.

Mr. O'Connor:

Greenfield we had a couple pool rooms.

PRESENTATION OF PAPERS

Housing, Economic Development and Promotion

MR. HERTZBERG FOR MS. MCDONALD PRESENTS

Bill No. 1823

A Resolution authorizing an agreement with Omiya, Japan establishing Sister City Status, all of Council Districts.

Also,

Bill No. 1824

A Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to expend an amount not to exceed \$140,000 from the Industrial Land Reserve Fund for environmental remediation work at the former Lectromelt site. (Council District No. 7);

Also,

Bill No. 1825

Resolution approving execution of a contract for disposition of land by and between the URA of Pittsburgh and PHASE for the sale of parcels A, B, C, D, E, F and G in the 26th Ward of the City of Pittsburgh in Redevelopment Area No. 36, Chester Avenue at Burgess Street residential construction;

Also,

Bill No. 1826

Resolution approving execution of a contract for disposition of land by and between the URA of Pittsburgh and Art Space Pittsburgh Limited Partnership for the sale of block 84-A, lot 271 in the 8th Ward of the City of Pittsburgh;

Also

Bill No. 1827

Resolution authorizing the URA of Pittsburgh to acquire all the City's right, title and interest in and to the block 81 -- 84-A, Lot 271 in East Liberty Redevelopment Area;

Also,

Bill No. 1828

Resolution authorizing the URA to acquire all the City's right, title and interest, if any, unto the publicly owned property designated as Block 15-K, Lot 240, the 18th ward of the City of Pittsburgh Rental Housing Development Improvement Program.

**PUBLIC WORKS, WATER &
ENVIRONMENTAL SERVICES**

MR. UDIN FOR MR. RICCAIRDI
PRESENTS

Bill No. 1829

A Resolution authorizing and directing the City Solicitor to provide the City Clerk with a written report detailing the actions of the Law Department in regards to the property and establishment located at 2132 East Carson Street. The report is due within 30 days of the passage of the resolution;

Also,

Bill No. 1830

A Resolution authorizing and directing the chief magistrate of the City Court to provide a written report to the City Clerk detailing the actions of Housing Court in regards to the property and establishment located at 2132 East Carson Street;

Also,

Bill No. 1831

A Resolution authorizing and directing the chief of the Bureau of Building Inspection to provide a written report to the City Clerk detailing the actions of BBI in regards to the property and establishment located at 2132 East Carson Street;

Also,

Bill No. 1832

A Resolution granting unto William Bonach an encroachment to construct a 4 X 4 wheelchair lift adjacent to the existing front steps at 320 37th Street in the 6th Ward;

Also,

Bill No. 1833

A Resolution granting to the Church of Jesus Christ of Latter Day Saints located at 238 North Ditheridge Street an encroachment to construct a parking area sanitary and storm sewers, electrical lines and a gate at the south eastern end to control access to the property at Chesney Way in the 4th Ward;

Also,

Bill No. 1834

Resolution granting Kanes Courtyard an encroachment to construct a handicap ramp and steps on a portion of right-of-way on Winthrop Street in the 4th Ward;

Also,

Bill No. 1835

Resolution granting unto Russell Hunter an encroachment to construct a wheelchair platform, retaining walls on either side, a fence and gate at the entrance to the lift of Alton Street in the 19th Ward;

Also,

Bill No. 1836

A Resolution granting unto Primanti Brothers an encroachment to construct a sidewalk cafe on No. 2 South Market Place in the 1st Ward;

Also,

Bill No. 1837

A Resolution authorizing the Director of the Department of Public Works to grant unto Ronald Jackowski an encroachment to construct a wood and shingle canopy at 908 Brookline Boulevard in the 19th Ward;

Also,

Bill No. 1838

A Resolution granting unto Towne Place Apartments an encroachment to construct a 4 foot in diameter planter on an 18-inch high concrete base, 4 foot wide by 5'6" long, and leaving a 6-foot wide sidewalk on Caldwell Street in the 3rd Ward;

Also,

Bill No. 1839

A Resolution vacating a portion of unnamed way from Pineridge Street to its easterly side in the 13th Ward;

Also,

Bill No. 1840

A Resolution vacating a portion of Pernod Street between Federal Street and Reddour Street unnamed way off of Reddour Street to its dead end and unnamed way off of Eloise Street to its dead end in the 22nd Ward;

Also,

Bill No. 1841

A Resolution vacating a portion of the Boulevard of Allies at Juliette Street in the 4th Ward.

FINANCE AND BUDGET

MR. UDIN PRESENTS

Bill No. 1842

A Resolution providing for the issuance of a \$966.69 warrant in favor of Cornelius J. Swinton in the settlement of claim for an accident with a City Police vehicle.

MR. FERLO PRESENTED

Bill No. 1843

A Resolution providing for a warrant in favor of Lexis-Nexis in the amount of \$1,281.18 in payment for computers user research services for City Council for the month of March.

UNFINISHED BUSINESS

Mr. Onorato:

Mr. President, I have two resolutions I want to read during unfinished business since they've been the topic of many discussions in this chamber. One being a piece of legislation you might have read about in the paper today, but State Representatives Donald Walko is introducing. I want to read the resolution and just say a few words afterwards. I hopefully have unanimous support because they both would greatly benefit the City.

MR. ONORATO PRESENTS

Bill No. 1844

WHEREAS, there has been increasing financial pressure on municipalities like Pittsburgh which have a high concentration of tax exempt property within their borders;

WHEREAS, legislation introduced by State Representative Don Walko, Tom Demsey, Pat Brown, and Steve Stetler would create a grant program to alleviate some of that burden from municipalities like Pittsburgh which as 35 to 40 percent tax exempt properties.

WHEREAS, this legislation will create a grant program funded through a portion of the State's share of the realty transfer tax to make grants to municipalities.

WHEREAS, City Controller Tom Flaherty has been requesting a lobby for this type of assistance for many years.

NOW, THEREFORE, BE IT RESOLVED, that the Council the City of

Pittsburgh does hereby endorse and support Pennsylvania House Bill 1246 and requests that the State Legislature vote in favor of this legislation.

The Chair:

Discussion.

Mr. Onorato:

Discussion on the bill.

The Chair:

Councilman Onorato.

Mr. Onorato:

This piece of legislation which I think is a step in the right direction, and I do want to applaud Controller Tom Flaherty, because he's been about this for as long as I can remember, way before I was even in politics. And it appears that we have a shot at having this bill passed. I know Mayor Murphy tried to push this back in the early '80s, but the votes just weren't there. But now with dynamics in Pittsburgh and with this other bill that's trying to strip municipalities of a right to deal with these payments in lieu of taxes, this might be a good compromise to tack onto that bill and that discussion, and it appears we have a shot at passing it. But what's great about this bill and this idea that Controller Flaherty has been talking about for years is that it does take into account the percentages of your tax exempt properties of the municipality. So no one area or one part of the state could take all the money once it passes. There's a formula in place, you're capped at a certain amount, and the money will go to the areas that have the most tax exempt area, so we

will be in line with a lot of other municipalities to get our fair share of some of the money back that we're basically subsidizing for regions for all these institutions. And it is a grant, and it's a direct subsidy due the City to replace taxes we're not receiving. I think it's a positive move. It removes us from the battle of payment in lieu of taxes and that whole legal discussion, if we can start getting money based on the areas that tax exempt. I talked with State Representative Don Walko this weekend. I asked him if this would help and he said it would be extremely helpful to see that the municipality sends a signal that they do support this type of legislation.

We saw the Mayor comment in the paper, he's in full support of it, but I think the legislative body, if we could unanimously get behind this other resolution sends a strong signal to Harrisburg that we'll back up these representatives that are willing to fight this a battle. So that's all I have to say, and I hope we have unanimous support.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Well, thank you. Obviously I think this is an easy one. I want to commend Councilman Dan Onorato for the bringing this forward. I'm in full support of the House bill, and hopefully the Senate bill. And it's obvious the reasons for it. As the tax exempt property gross here in the City of Pittsburgh for much needed services for our non-profits. Unfortunately what occurs is because we're supporting the entire region and these services being offered,

what occurs is that the people in the City of Pittsburgh are increasing their responsibility and the tax burden because they're carrying the cost for others.

And I really want to say that City Controller Tom Flaherty has championed this cause for many years, dating back, I believe, to 1990 in correspondence to the governor at that time. I think this is a tremendous idea, but for another reason too, Colleagues. What happens is especially I see in the Oakland area where I represent South Oakland, but the friction and confrontation continues to grow between the residents and tax exempt institutions, because residents, tax payers, see that as tax properties go on to the tax exempt status, that they're carrying a load, and then there is friction, this confrontation between the two, and we should recognize that the non-profits are really doing a great job here in the City of Pittsburgh. They're serving people that are in need. However, at the same time, and even with the universities and others are doing a great cause in the educational segment of our society. But at the same time, we cannot carry the burden for all, and we really need a formula where monies come back into our coffers so we continue to do this. And I really want to thank Don, Mr. Walko, for again, raising this on a State level. Thank you.

The Chair:

Thank you. Councilman Cohen.

Mr. Cohen:

Mr. President, I also want to strongly support this measure, this resolution supporting that measure. This really is a third path is what this

represents. I mean, for many, years we've seen both sides fighting where the City is trying to get funds in lieu of taxes from our tax exempt institutions, the tax exempt institutions, of course, claiming that they are -- I think the term is purely public charities, and the State law, and they've been larger heads for years. This really is kind of a third pass saying for those cities that do have a high percentage of tax exempt properties. They need to get some kind of benefit for that cost. And so this legislation, I think, will help do it. I frankly wish we had even more, but, you know all of us do. But this is at least a good first step, and I hope that Representative Don Walko and his colleagues can get it passed in the State Legislature.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

My congratulations especially to Mr. Flaherty and Don Walko for championing this cause. It is, as Mr. Ricciardi said, there is a lot of friction, especially with the expansion of the universities and the hospitals. And it needn't be that way if we were subsidized in some way. This is a great step in the right direction. But as they've said, it's been talked about for 15 years and never really delivered, so I think the challenge is on us. Right now through Mr. Onorato's resolution, to really rally the troops in Western Pennsylvania, and I'm sure in Philadelphia should be looking at the same thing to make sure we're on third base, make sure the legislators here and the support because there's still the final vote to come up.

The Chair:

I think as everybody's pointed out, I think Tom Flaherty, to his credit, it has been at least a decade ago that I can recall even as far back when I worked for Tom that our Controller lobbied on this issue with payment in lieu of tax. And for a long time, previous mayors did not necessarily support that strategy. At one point, we had pretty much legal strategy aimed at trying to get municipal voluntary service agreements together, which some of which are still in place. Obviously, this is landmark legislation. I'm actually shocked that the legislature put aside their partisan differences and actually did something that benefits the urban area like the City of Pittsburgh. And I think it's important to recognize Melissa Hart and others on the other side of the aisle who are at least, from my understanding being supportive of this measure. This is something that's not just going to help the City of Pittsburgh but a lot of other urban areas around the State, whether it be smaller urban areas that house university or smaller based hospital consortiums. So it's uniformly a bill that will help many communities throughout the Commonwealth of Pennsylvania. I still have some reservations about the formula, but I think it's landmark, and at least creates a precedent and structure by which the potential exists for future increase revenue coming from this funding stream once we get it in place. So we're at a significant crossroads right now and I hope that there will continue to be a bipartisan support. And certainly Don Walko hit the ground running when he became a state rep. He's done a lot of tremendous things for his district, including the folks that he represents in my

community, Lawrenceville, and hats off to Don also.

I also think the Mayor continued lobbying, recognizing that we were significantly short in City operating budgets. I think he and Peg McCormick and Chuck Cowlings specifically got involved, and I think they should be noted, their leadership and lobbying for something that's greatly going to help the City of Pittsburgh.

But when you see the 4th Ward alone, having at least 60 percent tax exempt property in every one of our Council districts, including mine, we have, as Councilman Ricciardi pointed out, growing numbers of tax exempt properties. There's got to be somebody to pay the piper. So this is an important bill, it's a step in the right direction. And I hope it provides a framework for us to potentially see some increased revenues once the stream gets established. And thanks to Dan for bringing this back to the body for formal support.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Cusick
Mr. Hertzberg	

AYES: 9 NOES: 0

The Chair:

Councilman Onorato.

Mr. Onorato:

One other one, this now is a resolution on a Senate bill that they're discussing, which is very timely for us, is dealing with problem properties, and I know there's been a lot of discussion in the last several weeks about what should be done and we've always said that the State laws have always heard us. Well, here's a proposal that could actually help the City again.

MR. ONORATO PRESENTS

Bill No. 1845

WHEREAS, the neighborhoods of the City of Pittsburgh have been plagued with problem properties; and

WHEREAS, due to legal constraints, the City of Pittsburgh has been experiencing difficulty in attempting to curtail this problem;

WHEREAS, State Senate Bill 538 amends the real estate sale law to permit a municipality a 15-day window to petition a court to prohibit the transfer of any deed for property within the municipality exposed to a tax claim sale which would prevent the sale of additional properties throughout the tax claim sales to existing slum landlords;

WHEREAS, State Senate Bill 539 creates the Municipal Code compliance Act which will require purchasers of real estate known to have substantial violations of municipal codes to make a reasonable attempt to bring buildings into compliance with municipal codes or demolish the building within one year of the date of the purchase as well as imposes personal

liability for cost or repairs or demolition any fine of \$10,000;

WHEREAS, State Bill 541 amends the 3rd Class City Code to allow for the City to adopt any standard or nationally recognized property maintenance code and further provides for fines and penalties;

WHEREAS, State Senate Bill 542 amends the 3rd Class City Code to allow the City to adopt and enforce local ordinances and further providing for fines and penalty;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby endorse and support Pennsylvania State Bills 538, 539, 541 and 542. And urges the State to adopt this legislation.

Mr. Onorato:

Discussion on the bill.

The Chair:

Councilman Onorato

Mr. Onorato:

What happened here, I was talking with State Senator Jay Costa. We're a 2nd class city, it wouldn't apply to us. He's been watching what's been going on in the city and hearing our frustrations. He called and he said, would this help you, we talked with it, and this would definitely help. What this does, if you were listening to some of the whereases, the one part actually the state will do what we currently do with property that we own, we won't sell property to anybody that's currently in violation if we own the property selling it.

This also makes that state law and allows us to petition in the State court to stop the sale. But more importantly, one, two, three, four, the fourth whereas clause, it will impose personal liability, any one of you, and I know all of you probably have had the same problem I have had dealing with the property, that we have an absentee landlord that lives out in some exclusive area, and they know that the only thing we do a municipality is lien the property and they sit out there and don't do anything to help us. We can now help get these personal liabilities so that we can get a personal judgment and go after the properties no matter where they live. It just turns up the heat and gives us more power and removes some of the constraints that have been stopping us to do what we have to do.

It's just another tool in our toolbox to fight these problem properties. I am very frustrated. It's the number one problem that my office deals with every day of the week. And anything I can get the City to have that will help us fight this problem I'm in full support of. Once again, I would hope this has unanimous support. It's not the answer but it's sure is a nice step in the right direction. Thank you, Mr. President.

The Chair:

Councilman, could you just clarify, we had similar a conversation with Senator Costa, and I believe he said he would seek an amendment to include the City. Right now, the bill, I think, only includes 3rd Class cities, is there a reason why your resolution doesn't say your --

Mr. Onorato:

Actually it's a typo. It should also, yeah, approve the -- when it says amends the 3rd Class, it should be amends the 2nd Class. That last whereas, and then make that -- I'll make an amendment --

The Chair:

Okay, but the basic intent is that we support the bill and that we would want the support Senator Costa's --

Mr. Onorato:

Right.

The Chair:

-- recommendation, which would include the City --

Mr. Onorato:

2nd Class Cities.

The Chair:

2nd Class Cities.

Mr. Onorato:

That's correct.

The Chair:

Okay. That's a friendly amendment. Discussion. Mr. Cusick.

Mr. Cusick:

That was my question.

The Chair:

Okay. Any other discussion?

Mr. Onorato:

We'll clean up the language before it goes out.

The Chair:

Yeah, no problem. Hearing none. All in favor?

Council:

Aye.

The Chair:

Motion carries. Thank you very much.

Mr. Onorato:

And the City Clerk, after it's cleaned up, we can nail both of these resolutions on City Council letterhead to the entire delegation of Allegheny County. I would appreciate it.

The Chair:

Thank you. Any other discussion on these two bills? Any other matter under reports of special committees or unfinished business?

The Chair:

Thank you, Councilman. I believe we have a post-agenda meeting immediately following this here by Councilwoman McDonald regarding reimbursement.

REPORTS OF COMMITTEES

MR. UDIN PRESENTS

No. 1325

Resolution amending the City of Pittsburgh's official sewage facility plan to incorporate the Allegheny County Sanitary Authority's comprehensive sewage facility plan;

Also

No. 1784

Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$21,345 to the Commonwealth of Pennsylvania representing the initial payment required for unclaimed funds for the year of 1989;

Also

No. 1785

Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$12,419 to the Commonwealth of Pennsylvania representing the final payment required for unclaimed funds for the year of 1988;

Also

No. 1786

Resolution authorizing the City of Pittsburgh to issue a quick claim deed for property designated as 21P270 and 273 and property noted as block and lot 21K62 in the 20th Ward to the Port Authority Allegheny County.

The Chair:

You've heard the reading and title of the bills. Is there any discussion? Councilman Onorato.

Mr. Onorato:

Just on Bill 1325. I'll just make one last plea to vote no on the bill. I think there was at least six votes. It appears that the Mayor has been saying publicly he's going to veto the bill. And right now, it appears that the votes are in place to override the veto. It hasn't been finally passed yet. I would ask if any of my colleagues at this point is willing to reconsider to please vote no and I'll have all my comments brought forward from the Wednesday session.

The Chair:

Well, this is the first I heard about the Mayor's potential actions. Obviously I support the bill, I think it's responsible for us, not only our fiduciary responsibility but also just a separation of what is actually before this body, legislatively versus what is the prerogative of the Board of Directors of the Alcosan agency, and agency that is not Duquesne Light or Equitable Gas, an agency that is basically controlled by the Mayor and by the County Commissioners. And if the Mayor is going to veto this, I hope he's going to put his money where his mouth is and show us where these additional funds are going to come from. So I think it's incumbent for politics to stay out of this and recognize that we had a great opportunity for this City to benefit greatly from a major capital constructions master plan by Alcosan to upgrade their facilities and system, a City system that greatly benefits City of

Pittsburgh rate payers disproportionately in terms of the amount of funds that will go into upgrading everything from odor control to the issue of the Sawmill Run intercept, which is 30 million dollars plus, something that this municipality has lobbied at least ten years on, not to mention the fact that the mechanics of increasing the amount of flow into the system will permit other municipalities in addition to the 80 plus number that are currently a part of the system to come into the system, by increasing the number of other subscribers to Alcosan rate payers. That would hopefully spread the base of people and rate payers paying the burden of this debt.

I think for all those reasons we're at an important crossroads with Alcosan and I definitely sympathize with the issues that have been raised. I'm not happy that there's not a greater amount of federal or state support to help lower the amount of overall of what would be needed to go to pay for the capital plan that's being proposed here under Act 537. But I think overall this is a good plan, it's a reasonable way to move ahead. The worse thing that could happen is the Feds and the Department of Environmental protection or the Federal DER come in and impose either under a Federal judge under their regulatory ability impose into the system what changes might need to be done. And I just think we'll need to move ahead and move forward.

I think we have a clear commitment thanks to the leadership of Councilman Onorato, the Mayor and others. I think there's been enough pressure applied by this Council to suggest that the Alcosan Board and the other elected officials that really make up the Board that it's incumbent upon them to do

whatever they can do with the congressional delegations from Western Pennsylvania, the two U.S. Senators, to try to bring home some bacon with some Federal dollars coming back here to provide some of the upgrade of the system.

As far as the competitive bond issue, you know, I've never on Council voted for any bond issue that was not competitively bid. I am upset and continue to be upset at Alcosan Board and other Boards in the county that provide a lucrative bond work to varied individuals in a noncompetitive fashion. I think that's a mistake. But unfortunately, we don't get to vote on it. Mr. Cusick is one Council member who sits on that Board, does have a vote, but it is a separate and distinct legal action by an independent governmental board that's outside the purview of the City Council. I think we just need to move ahead on this bill. Councilman Cohen, and then Mr. Cusick.

Mr. Cohen:

Thank you, Mr. President. I don't disagree with much of what you said, certainly about the need for a facilities plan. But I do disagree with respect to the process, and I can't support this bill for that reason. I think the process was simply not a responsible process, that -- and let's go back in time a little bit here.

Remember, City Council voted to hold or table, I believe it was hold this bill, to try to find State and Federal sources of money that many other cities were able to get to lessen the burden on the consumer for the increase in Alcosan rates. Within days after this, Council voted to hold this bill, this is what the Alcosan Board did; number one, they thumbed their nose at

City Council by approving the same huge bond issue that we asked them not to approve and did it in a non-competitive bid. At the same time, everybody knows that there were questions surrounding Alcosan with respect to that issue. They thumbed their nose at City Council that way, then they get some bureaucrat at the Department of Environmental Protection, some bureaucrat whose name we don't even know, I don't believe, to waive City Council's authority on this issue and to say, well, you know what, we don't need City Council to approve this anyway, we're just going to go ahead with this bond issue; and number three, then they come before us and ask us to approve this plan without even trying to get the sources of funds to lessen the burden on the consumer. Do I agree that from an environmental perspective they need to have some kind of sewage facility plan, yes, I do agree with that, but I think the process has been a poor process and an irresponsible process, and for that reason, I can't support this bill.

The Chair:

Councilman Cusick.

Mr. Cusick:

I'd just like to disagree with Councilman Cohen. And I sit on the Board of Alcosan and I think that we have aggressively sought other dollars, whether they be Federal or State dollars to lessen the burden on the rate payer. I believe Alcosan has acted responsibly and we have done our due diligence in regards to this issue. I believe you put things correctly, Mr. President, when you said that we did not want at anytime the Fed's or any other department within the Federal

bureaucracy to step in and make us do something that would have cost the rate payers even double of what we, Alcosan, the action we took at the prior Board meetings. I've been a part of, for the last three years, of -- and have saw -- have seen what has gone on in regards to the 537 plan. I still claim that Alcosan has done its due diligence. If you're for economic development here in the City, we need to -- I think that you are for what Alcosan and any capital improvements that are going on in Alcosan. I say that because as we increase the capacities and the Mayor wants to see now Nine Mile Run developed in the Southside on the LTV property. And all over the City you see development going on. In order for that to continue to happen, we need to increase the capacity of Alcosan. We're doing that.

Also, Alcosan has taken the responsibility of finally attacking the problem of odor control that 120 million dollars is going to go into. We are not -- we have not stopped looking at other alternatives to the 120 million dollars. In fact, I think the Board will take action at the next Board meeting to put a committee together to see if we can come up with some other type of solution to odor control. But Alcosan has done its due diligence here.

It is -- this is the responsible thing to do before the Fed's step in and tell us what we have to do. It happened in, I believe, Minneapolis where the Fed's stepped in. What it could have cost them 500 million ended up costing them over a billion dollars. I don't want to see that happen. I don't think the rate payer wants to see that happen. I don't think that Alcosan ever thumbed its nose up to Council. I think we know the

opportunity -- the window of opportunity, we had to take advantage of that opportunity that window and we did just that. We did that in responsible fashion, it was never the director of Alcosan continues to come down here weekly and to be questioned about whether or not we're seeking other funding sources. We've hired lobbyists for both Washington and Harrisburg to continue to do that. That does not mean that we should stop with what Alcosan -- the plan that Alcosan has put together.

It is a very responsible plan, it's one that I voted for, it's I'm proud of. And as you stated, Mr. President, Alcosan has put millions and millions of dollars into the City of Pittsburgh. And we need to continue to do that to not only for the economic development of the City, to continue to work on the environmentally -- environmental issues whether they be the river, the streams, or the creeks in the City of Pittsburgh. And I'm actually proud to have been a part of the 537 Plan, I think it's a very comprehensive and well thought out plan. I think that the gentlemen, that the people that have put it together couldn't have done a better job and I will be continuing to support this. I would ask that my comments from all over the Alcosan discussion be brought forward and I ask this Council to finally approve this and allow Alcosan to do -- to continue to do its responsible work for the City of Pittsburgh and for all the County of Allegheny.

The Chair:

Other discussion?

Mr. Onorato:

Please.

The Chair:

Councilman Onorato.

Mr. Onorato:

When I first started talking on this issue. I didn't go into details, but I feel that I just have to say something. Since this facility sits in my district, and more importantly, I actually live in Brighton Heights, and I'm right in line of the odor, and I am voting no and this contains a very large odor control component. And I think the residents of North Side should hear from me why I'm voting no. Since I've been the leading advocate for odor control before I was on Council and since I've been on Council. I guess I'd have to disagree with some of the characterizations of this deal being a good deal. And I do disagree that City is getting something great here at the expense of other residents outside the City, I don't believe that at all. And I sort of resent the fact that after all these years that the odor control that the North Siders have been promised for the last 30 years has to be tagged to a massive expansion, which I don't think is justified. Part of the 400 million dollars expansion which I don't think is justified, and part of even the first phase which is 180 million dollars, there's 60 million dollars tagged onto the odor control just for initial expansion. And it puts me in a very tough position. I'm sure a lot of people thought that as a councilman that lives there and represents the area I had no choice but to vote for odor control. Well, I don't operate that way. And I will take this to the people in North Side and I'm going to explain to them in person when I'm over there why

I'm voting no. We want odor control and we should get odor control and I will continue to push for odor control. But this isn't like congress where you attach amendments to every bill and you just pork belly everything through. That expansion is excessive. It's something that's needed, but there's also discussion going on right now of two ancillary sites of Alcosan. I don't know if any of my colleagues know about that. There's discussion that possibly building an additional site Alcosan II out in the western corridor as opposed to building a massive facility in one area. These are the types of public policy discussions that should be going on here. And to somehow all of a sudden say that Alcosan is the separate legal entity and we should let them do what they have to do and don't let politics get involved. Unfortunately, politics were brought up to this point. If you're going to say this is controlled by the Mayor and the County Commissioners, we have to be honest about that, the two individuals that are currently the Mayor's supporters down there voted no at the Alcosan Board. They were in the minority, but they voted no. The Mayor has made it very clear he thinks that the expansion is excessive and the funding of it is excessive. So, I am not going to be blackmailed into a vote just to get my odor control. I think we'll get that because it's the right thing to do and I'll be following closely what Councilman Cusick made reference to that the Board is looking into other alternatives to odor control, because North Siders have been down this road before. We had money set aside and it was taken away from us for an expansion project. Odor control always gets cut short, even after the money is in place. So for the residents of the North Side, just because they're going out on a bond issue,

hold your breath and your nose, because we know what has happened down there and it can happen again. Just because the money is in the bank doesn't mean they're going to spend it on odor control. When we see it, then we'll believe it.

I'm very concerned what's going on down there, I believe there's a lot of shenanigans going on down there and I believe that we have an obligation, a moral obligation to the voters, to the tax payers and to the rate payers to find out more -- in more detail why there was no discussion and why there was no investigation of why no Federal dollars came to Pittsburgh, why no State dollars came to Pittsburgh. I do not view the answer, well, we didn't get it, and we missed that a few years ago and it's too late as an acceptable answer. A report generated by Alcosan themselves made it very clear that other cities are getting Federal grants and they're getting local state grants in the states they're operating in.

This project doesn't have any of that. And 400 million dollars, people in this region are not stupid. They understand what's happening here. That is a significant obligation to tie these rate payers up for, 400 million dollars; 180 million has been approved so far. The rest of us can chug along as soon as we get moving. And this is the only time that we have an opportunity where -- the first time we have an opportunity to say something about it as Council members, it's in front of us. And I am very adamant about that, I think how the process went along, how much it's costing and the lack of grants from the Federal government that other cities are getting, that we should put the brakes on this expansion project and we should do odor control. If they want to

talk about odor control, I'd be more than happy to deal with that issue and what we have to pay to do it. But that the expansion should be discussed about how we're going to pay for it, and I think grants should be part of it. And we should talk about where it's going to be built. Anyone that thinks we're getting some great asset, believe me, as I said last week, we're not getting a great asset on the North Side. We're getting a big, very large outhouse that is going to be the outhouse for the region. No matter how good the odor control is, there's always going to be something, some type of odor, I'm sure. It's just the nature of what's down there. But let's don't kid ourselves, we're talking about a massive expansion of a problem that exists now, of an odor problem that exists now, at the capacity level. We're talking about a maximum expansion capacity. So you're darn right that I'm concerned about the financial burden on the rate payers, the expansion of the facility, the size of it and the fact that they're tying it to odor control. Odor control should be independent of this issue. And until that day happens, until I get better answers to some of those questions, I am not voting for this package the way it is.

The Chair:

Thank you. Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President and colleagues. Obviously I respect all my colleagues' positions. However, I'm very disappointed that we've allowed this body to be dragged into politics. We've allowed the elected officials in this County and this City to drag us into their political battles

and it started with the joint appointment of Mr. Roddy and it continues with the legislation before us. If one looks at the legislation before us, it's the official sewage facilities plan, no different than any other facilities -- sewage facilities plan that we've approved at this Council throughout the years.

As a matter of fact, if you look at all there whereases that have been sponsored by the sponsor of our bill, the president, the first few really just describe what Alcosan is about. But there's two operative paragraphs in this legislation before us. The first one is the 6th one where it says: The Alcosan treatment plant and related facilities provide -- should provide for the future needs of the City while eliminating the odors from the treatment plant site. We're all in agreement with that.

The other operative paragraph, and I'm only skipping the other ones because they're just description bodies, but the other operative paragraph is on Page 2 where it says the sewage facilities plant providing for the sewage services adequate to prevent contamination of waters of the Commonwealth of Pennsylvania, and/or environmental health hazards with sewage waste.

We're voting on the legislation before us today. We're not voting on the political alliances on the Alcosan Board, we're not voting for Alcosan rate increases. We're not voting for any type of packages regarding bonds, we're voting for something that's very limited and focused and that is what we have today, something that needs approved so Alcosan can do their business. Then they are responsible to the tax payers and to the rate payers.

We've held this bill several times. I've been very patient. I believe I've listened to all the discussion before us. We've put the -- and I don't know the gentleman at all, the director of Alcosan, but we put this, it appears to be very fine individual with a very professional background, we've put this director through so many hoops, and he's jumped through each hoop. We've talked about going out and getting state funding.

Mr. Gigliotti and Readshaw come back and show us there's a bill that's been put together. We talked about Federal funding. We go out, Mr. Coyne works on a plan. And obviously everyone comes back and says, well, it's not going to happen tomorrow, but we want to find people of the North Side and the West End and our surrounding suburbs not to smell those odors. But are they going to move ahead?

Now, see, I'm falling into the trap, what I considered a trap, and that is to discuss issues that are not before us today. The issue before us today is the official sewage facilities plant. I'm voting for this. But I'm also going to send a message out to Mayor Tom Murphy. If he vetoes this, I might become -- I might get into the fray -- get into the game also and I might vote to sustain his veto. And let -- just throw it back into their hands.

The Chair:

Absolutely.

Mr. Ricciardi:

And what I'm saying then is if anyone wants to play political games, well, I might change my vote, and let's see what

occurs at that end of the game. But I'm very disappointed, because I've been here since 1990. Very seldom, I can't even recall an incidence to this magnitude, this gravity, that we've allowed others to use this fine body, a body that is more open to public discussion, public accountability, public view than any other legislative body in this Commonwealth. But we've allowed them to use us as pawns, and that's what they've done. They've got their political hits, they've got their political up in the polls, their political increase in the polls and they've received it all. And what did we get?

I go to a Block Watch meeting last night, and people want me to talk about Alcosan. They want me to talk about the Board, they want me to talk about the alliances. They want me talk about who's on first base. What a pity that I'm answering those questions. And who should be answering those questions, the three commissioners, the Mayor and the seven people that are down there.

Again, I'm voting for this today because I'm voting for these 10 whereases. But I'm also sending a message out, if this is vetoed, I might fall into the political fray and I might sustain the veto and throw it back in their lap and see what they do with it. Thank you.

The Chair:

Councilman Udin.

Mr. Udin:

When we first considered this bill --

The Chair:

This was October of last year. Let's put this in perspective.

Mr. Udin:

In October of last year, the reason why we did not pass the bill at that time was because the suggestion was raised that there may be other funds available that are not being pursued.

There was not a discussion of the bond issue, the size of the bond issue and whether or not we had jurisdiction over the size of the bond issue. There certainly was not a discussion of whether or not the expansion was justified. I think that the -- on the several occasions that the Alcosan representatives have come to this body, they have explained that we are already near capacity. And just the growth from the use from the City of Pittsburgh itself will render us overcapacity very soon. And that there is a requirement that the plant expand its capacity some way, either at the facility that exists by increasing it there or by adding other expansion capacity in other parts of the county. But it must expand its capacity, and I haven't heard anyone question that until today.

The issue of the rate increase and the bond issue is an issue that I think that members of this body have a right to question and they should do so at the meetings of the Alcosan Board, or through the Council representatives that sit on that Board, or by direct communication with the Mayor who has representatives on that Board.

But to hold hostage the odor control work, to hold hostage the work along Sawmill Run, to hold hostage the

necessary expansion of the facility and capacity of the plant, I think is the height of folly. And I think that we ought to pass this authorization and play our politics directly at the Alcosan meetings and not at this table.

The Chair:

Councilmen, any other discussion from others who have not spoken yet? Councilman Cusick.

Mr. Cusick:

I just want to finally, again, ask my colleagues to support this. I think if you're for economic development, if you're for having a clean and environmentally sound city, if you're for just odor control, in many of the several -- many and several surrounding neighborhoods, I think that you're for this plan.

Alcosan, I continue to say Alcosan has continued to aggressively look for other funding sources. This issue is not a politically popular one. It's one that I wish I didn't have to vote on, you know, in an election year. It's one that by standing back and saying no probably makes a great deal of political sense. But we're here to make some hard decisions, and this is a tough decision, but it's the right decision.

I think if you, Mr. Onorato, care about the odor control, care about the river fronts that you continue to build and see economically prosper, care about the neighborhoods, it doesn't matter if it's attached to 537. It's getting done, the method in which it's done you may disagree with, but it's happening. And it's an incredible amount of money 120 million dollars going towards that, only 60

million going towards the expansion. I think you're a winner in all of this. I think the residents of the City of Pittsburgh are all a winner in all of this.

I only ask you to -- and I think no one could have put it better than Councilman Ricciardi when he said don't fall into the politics of this.

Believe me, being a political year for me, it was a very tough decision. It's one, too, I could have walked away from. But I feel this is the right thing for the city, and I think this is the right thing for this Councilman and for this Board member to vote yes for.

And I would ask you to look exactly what you're voting on and not what the action that the board has taken in the past. This is only to work with us and continue the good work that Alcosan has done.

And always remember, after all this is done, and the rates have been increased, we will still be one of the lowest rates in the country. We will still have some of the lowest rates in the country. And that's something that we all should be very proud of. Thank you.

The Chair:

Lest the public be confused about what we're actually voting on, just very quickly, and I'll be very brief.

Mr. Onorato:

Please clarify.

The Chair:

Very brief. This bill has nothing to do with raising property taxes by the School Board.

Mr. Onorato:

Excuse me, Mr. President.

The Chair:

The City Council has nothing to do with raises in school taxes. This City Council has nothing to do with any rate increase by the Pittsburgh Water and Sewer Authority. We have no legal involvement, and this City Council has no legal involvement nor prerogative as it relates to Alcosan sewage rates. So let's just clarify that before this vote. Mr. Onorato do you want a final word?

Mr. Onorato:

You have a final word but --

The Chair:

I wanted to clarify that point because Mr. Cohen raised the point earlier which was a little bit confusing.

Mr. Onorato:

I just want to clarify something.

The Chair:

Go ahead.

Mr. Onorato:

Two points I want to clarify, the issue of why we are at capacity is not because of the City's expansion. The reason we're at capacity is because this

Council consistently votes to put in municipalities that bid to get in. I voted no on the last two tap-ins, Penn Hills being the most recent one. We tap in these municipalities, we fill the capacity, then we use that argument why we should expand the capacity for City's development. I just want to make sure that we know why it's at capacity and we do have in the future development, but we also let more people in.

And the other thing I want to clarify, this discussion that it's better to do it now before we're court ordered into it, this Council has stood up twice since I've been here and thumbed its nose at DEP and DER, one being with Invirotest, and it worked. We were just supposed to approve a tap-in fee and went way outside the bounds of what we had to vote on to say no to that, because we thought it was ridiculous, and wouldn't you know the state repealed it after the Republicans took control. The other one is the Highland Park reservoir. We were told by the Environmental Services to put the reservoir on, we don't think that's right, and we're fighting that one, rightfully so. And finally to Councilman Cusick, asking me if I really care about my neighborhood, I'm sure you didn't mean it that way, but obviously I don't have to answer that question. I do care about odor control, I do care about all the things brought up, but more importantly is that this 50 percent increase, no matter how we try to -- it's such a small increase, it's still a 50 percent increase, and the majority of my residents being on a fixed income are sick of seeing the utility rates going through the roof. So I'm going to still vote no.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

Thirty seconds.

The Chair:

Take your time.

Mr. O'Connor:

It's amazing, it's amazing, and I'll answer Mr. Onorato's question that he asked at one of our meetings with the deputy Mayor why we don't -- and it's a good question, Mr. Onorato why we don't get federal money. I think Mr. Cohen asked the same thing. Why Pittsburgh was one of the only communities that didn't get Federal or State money. The answer from the Deputy Mayor was, and he admitted, and I have it in writing, that they dropped the ball and didn't go after the Federal money in the last couple of years. So that's why we didn't get the Federal money and I'm just bringing it up. We're paying for the incompetence of this administration. The taxpayers of this region will be paying for that incompetence, and it's a shame, but it's also becoming a political football between his board, which the Mayor, don't forget folks, this is his appointed board, not ours, and it's a shame they're trying to put us in the middle, but just remember that's the reason why we didn't have the Federal money because they didn't go after it.

The Chair:

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Cusick

NOES:

AYES: 9 NOES: 0

Bill 1325

AYES:

Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo

NOES:

Mr. Cohen Mr. Onorato
Mr. O'Connor

AYES: 6 NOES: 3

The Chair:

All of the bills having received the legally required number of votes have been approved finally. And just to hearken or heighten Mr. Ricciardi's issue, you know, we sat here last week, this bill was introduced in October. We've had a lot of discussion on this bill, including a public hearing, in all due respect to Councilman Onorato's points, too. No one from the administration, not the Mayor, the Deputy Mayor, Public Works Director, unless I was in a twilight zone, no one was there last week to discuss all these hot issues that apparently everybody is concerned about. So I find that -- I find it incredulous that the Mayor may even hint a veto to this bill when he had every opportunity to come and explain his position. He has nothing but allies on this Council. If there

was a great concern or need last week to hold off on final action of this bill because of some grant strategy to get some money from the Feds or re-debated the bond issue or whatever his strategy was, we've done nothing but be supportive of the Mayor and this administration. And I can tell you one thing, I'm going to be very hot under the collar as one council member if there's any veto of this bill without having at least this administration the courtesy to come to us last week and expound and explain and went over the issues that they're concerned about.

Mr. Cohen:

Mr. President.

The Chair:

I'll tell you right now, there's going to be hell to pay if there's a veto, at least from this Councilman member. Councilman Cohen.

Mr. Cohen:

I want to respond on that. I understand the point that you're making, but I want you to know with respect to my vote, nobody from the administration lobbied me on my vote. I've taken an independent vote and an independent look at this issue. My opposition to it is, one, that after review of it, I just can't support it, and I have not gotten lobbied from the administration.

PUBLIC WORKS, WATER & ENVIRONMENTAL SERVICES

MR. RICCAIRDI PRESENTS

Bill No. 1510

Resolution granting unto Bell Atlantic Network Services, Inc., 1707 Pennsylvania Avenue, Pittsburgh, Pennsylvania, 15233, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, telephone enclosures on a portion of the sidewalk area at various locations throughout the City of Pittsburgh.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Ferlo,
President	

NOES:

AYES: 8 NOES: 0

The Chair:

I would remind the Clerk's staff that this was amended twice by Councilman Hertzberg as well myself, adding in the specific site location, as well specific site and locations.

PLANNING ZONING AND LAND USE

MR. ONORATO PRESENTS

Bill No. 1782

Resolution amending Resolution No. 579, approved July 31, 1996, entitled Amending Resolution #121, approved March 12, 1996, entitled providing for the

implementation of Residential Parking Permit Program (RPPP) Area "X" in the Shadyside community (Council District #8) pursuant to Pittsburgh Code Chapter 549," so as to amend streets included in Area "X".

Bill No. 1783

Resolution amending Resolution No. 578, approved July 31, 1996, entitled "Amending Resolution #206, approved April 11, 1996, entitled providing for implementation of a Residential Parking Permit Program (RPPP) Area "Y" in the Shadyside community (Council District #8) pursuant to Pittsburgh Code Chapter 549", so as to amend streets included in Area "Y".

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. Ferlo, President	Mr. O'Connor

NOES:

AYES: 8 NOES: 0

PUBLIC SAFETY SERVICES

MR. COHEN PRESENTS:

Bill No. 1780

An Ordinance supplementing the Pittsburgh Code Title Six--Conduct, Article 1--Regulated Rights and Actions by Adding a new Chapter 621--Regulation

of Pay Telephones for Public Safety Purposes.

The Chair:

Is there any discussion?
Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. This is the public pay telephone bill. Councilwoman Valerie McDonald asked me not to speak too long, so I'll try not to. I do want to thank City Council for its preliminary vote on this legislation last Wednesday. There are problem pay phones in all of our districts, many of them are being used for drug trafficking. This bill really does two things, number one, is it puts into place a written policy regarding designation of problem pay telephones, and secondly it does it from a public safety perspective, and that is, the Chief of Police. If he receives a complaint about a telephone has to do an investigation, get in touch with the community group and the Zone Safety Council, and the decide whether or not this is a problem pay telephone. If it is, then the Chief will recommend, that, number one, it be made outgoing only, and hopefully that will solve the problem. If not, to have the phone closed during certain hours, and only if that doesn't work, to actually order removal of the telephone.

I believe that this legislation strikes an important balance between on the one hand allowing the public to use pay telephones, especially in cases of emergency or in cases where a resident cannot afford a phone, but on the secondhand, making sure that restrictions

can apply for pay phones that are problem pay phones and are used for drug dealing.

I have a few amendments to the bill, which I believe every member of council has, if you recall, Director Miskovich of General Services had some reservations about this bill, they're legitimate reservations, and she and I sat down and worked out a couple of amendments here, because Deborah Miskovich actually is the person who communicates with the Public Utility Commission now. So these amendments are before you. The major one being that it puts the Director of the Department of General Services into the legislation and it says that when the Chief of Police makes his decision, he then shall order the Director of General Services to make the recommendation to the Public Utility Commission, that those actions be taken. So, I guess, Mr. President, first of all, I'd like to move that this bill be amended and ask for a second to that motion please.

The Chair:

And I would suggest that in the language that the gender be gender neutral in reference to "his" versus "his" or "her".

Mr. Cohen:

Is there "his" in there that shouldn't be --

The Chair:

Well, whatever, just as a friendly concern.

Mr. Cohen:

Absolutely. Councilman Ricciardi. Moved and seconded on the amendments. Now on the amendments, Mr. Ricciardi.

Mr. Ricciardi:

Mr. Cohen, all the amendments were put forward as a package, correct?

Mr. Cohen:

That's correct.

Mr. Ricciardi:

The question I have on Page 2, well, first of all, I'll discuss the amendment and then the bill because I really want to commend Mr. Cohen.

But regarding the Director, referring to the Director of the Department of General Services --

Mr. Cohen:

Yes.

Mr. Ricciardi:

-- you stated because the communication with PUC --

Mr. Cohen:

Yes.

Mr. Ricciardi:

And I realize the Director of General Services, their role, because obviously, you know, I realize the people's duties and responsibilities, but I believe the person who communicates with the PUC, with all due respect to the current

Director, it's the solicitor of the City of Pittsburgh, and if I'm mistaken, I stand corrected. But several times when we've had language in the past, and we've had bills in the past, we've asked for communication with the PUC, we've always put that forward by the solicitor.

Mr. Cohen:

I'm sorry to interrupt you.

Mr. Ricciardi:

Yes.

Mr. Cohen:

If I can respond. You make a good point, and I think on virtually every issue the solicitor is the person except for this one, it just so happens, and I didn't know this before last Wednesday, but it just so happens that on this issue when it comes to problem pay telephones, it's the Director of General Services, Deborah Miskovich.

Mr. Ricciardi:

Well, again, I want to take the person out of the mix here and with all due respect, and I'm not going to be an obstructionist to your bill, but if that's true, that's not the right way to proceed. When we deal with the PUC, which I believe is a quasi judicial board, and Mr. Furtiff knows the PUC much better than I do, I believe we should be dealing with, through our attorney, through our lawyer, which is the solicitor, City of Pittsburgh, and I'm not sure this is a sticking point for you, and maybe I could hear it from other lawyers on here, Mr. Onorato, Mr. Hertzberg, but I believe the person who should communicate with the PUC from the official position is a lawyer, because at all

times, the director at GS might not be a lawyer. We make laws not for people but for positions, and I believe the solicitor should be the person who communicates with the PUC, with all due respect.

Mr. Cohen:

Honestly, it just doesn't have to be a lawyer, it really doesn't. Any official of the City can communicate with the PUC.

Mr. Ricciardi:

Uh-hum.

Mr. Cohen:

Your point is well taken with respect to legal issues, but it really does not have to be a lawyer, Councilman. I really don't believe -- I haven't seen that anywhere. If you could show that to me, I'd be happy to amend that later, but I don't believe that's the case.

Mr. Ricciardi:

Right, and, of course, I'm not going to ask for this particular be amended. I'm going to vote no, however, because I feel very strong about that, that dealing with the PUC should be all through our law department. And I don't think it's going to affect the bill, but that's how strong I feel about that. Because I think our solicitors should be the point person dealing with the PUC, dealing with the Justice Department, dealing with other entities. And I don't think it affects your build of person who, you know, if that's of a sticking point, Mr. Cohen, but I feel that strong about it, it should go through the Solicitor's office.

Mr. Cohen:

I respect your position, but the PUC is not just a judicial body, it's judicial body and it's an administrative body, and this is the administrative part of the PUC because they're not being asked to make a legal or judicial decision, they're just being

asked to restrict a public pay phone, and that's really their administrative side.

The Chair:

Any other discussion on the amendments? All in favor of the amendments?

Council:

Aye.

The Chair:

Remaining comments on the bill as amended. Any other discussion on the bill itself?

Mr. Ricciardi:

On the bill itself.

The Chair:

On the bill itself.

Mr. Ricciardi:

Thank you. It will be very short. As I stated during the Committee session, along with all my colleagues and myself, I've worked on problem telephones, because, you know, they are a convenience, they're a necessity to many people in the City of Pittsburgh, especially for emergency calls, and however, unfortunately, they are being used for some illegal activities, and I've focused my energies on that particular phone, but never before a City-wide issue, and I really wanted to commend you, Mr. Cohen, for really looking at it, not just phone by phone or district by district, but on a City-wide issue, it's something I've never

done. I've been very parochial about it, and I really want to commend you on that. Thank you.

Mr. Cohen:

Thank you.

Mr. Ricciardi:

Setting aside the solicitor and the Director of GS.

Mr. Cohen:

Thank you.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. Cusick	Mr. O'Connor

NOES:

Mr. Ferlo, President

AYES: 8 NOES: 1

ENGINEERING AND CONSTRUCTION

MR. ONORATO FOR MR. O'CONNOR PRESENTS

Bill No. 1781

Resolution providing for a Contract or Contracts, or use of existing Contracts and/or an Agreement or Agreements, or use of existing

Agreements, for the Rehabilitation of Pioneer Avenue, Phase II from Southcrest Drive to Brookline Boulevard and for Construction Inspection Services costs not to exceed \$1,250,000.

The Chair:

Councilman Cusick.

Mr. Cusick:

As you all probably know already, this construction has already begun, it's going greatly up there.

A number of the residents of Pioneer Avenue will be coming up for curb cuts that the administration has worked with. I want to thank them for doing that. For a number of years, they've had parking pads, and now with the new reconstruction of Pioneer, some of them were jeopardized -- their curb cut was jeopardized. The administration has worked those problems out. We look forward to going to the zoning or Planning Commission and correcting that issue. I just want to thank the administration, this is something that Brookline has been awaiting a long time for, and the work that the Fasciano Group is doing up there is just incredible. If you all get a chance to take a ride past Pioneer, you'll just see the good work that's going on.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin

Mr. Cusick
President
Mr. O'Connor

Mr. Ferlo,

NOES:

AYES: 9 NOES: 0

MOTIONS AND RESOLUTIONS

The Chair:

Mr. Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President. Every year, in springtime, we end up usually giving a proclamation in connection with Barrier Awareness Day. This year it's being handled a little bit differently. There won't be an official kind of activity downtown. They're making some efforts, the Three Rivers Center for Independent Living, to educate those within schools to some of the barriers to people with disabilities. In any event, and this has come up in the past, and in a number of other times in the past the problems with the Council chamber and its problems with accessibility to people with disabilities has been raised, and Mr. President, I thank you for convening a group that got together and now has made some plans to make some improvements to Council chamber that will make it accessible. What I would like to do, and this year it's Barrier Awareness Week, is May the 12th, what I'd like to do is request that a public hearing be held sometime that week and that it be cable cast and that we have here our Director of Engineering and Construction, our Director of General Services, that they present the plan for Council chamber, and that we receive

public comments. And I'd also ask that Three Rivers Center for Independent Living, which is an advocate for people with disabilities also be invited to that.

The Chair:

Thank you very much. Any other discussion? All in favor?

Council:

Aye

The Chair:

Councilman Onorato.

Mr. Onorato:

I don't even know if we do this, is it possible, Councilman, that we have that public hearing -- you are going to cable cast it, correct?

Mr. Hertzberg:

Yes.

Mr. Onorato:

Is it possible for the hearing impaired that we have somebody here to translate that particular cable cast to an audience of physically impaired individuals that might not be able to participate watching it.

The Chair:

We'll make arrangements for that, because we have at times in the past. Thank you for that suggestion very much. We'll coordinate that with our City Clerk.

Any other discussion? Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President. Just in passing, in the past, I've talked about the possibility of a parking task force here in the City of Pittsburgh, and I've had some support from Mr. Dan Cohen, and I just threw that up for discussion, but the more and more incidences that happen in the City of Pittsburgh, I think maybe it's something that in the future that hopefully I'm going to be able to formulate. For example, I've become very upset on our inspectors for BBI. As most of the people at this body know, there are some streets in Knoxville section of my district that literally do not have any parking on the street because of how the street is set up, which means the constituents, taxpayers, have to find parking in alleyways or sometimes two, three blocks down the road. What they've been doing for over 50 years, parking in their front without any hassle from the City of Pittsburgh from previous administrations without any problems from building inspectors, because there's literally no parking on the street.

It's just come to my attention yesterday that our building inspector went up and gave out 60 notices, every person on the block received a notice of violation which means they now have to conform to the ordinance. Fortunately the ordinance is much easier now to conform to because of the efforts of Councilman Joe Cusick, however, it's still burdensome. What upsets me is that times that we need a building inspector, and I will be contacting Chief Somino, if we need a building inspector to look at a dilapidated building

or to look at demolishing a structure, it sometimes takes weeks. But here we have taxpayers who have been doing something for over 50 years. I spoke to some older people today that have been parking in their front for 55 years, never hassled before by other previous administrations, and I'm going to bring this -- I'm going to bring all 60 of these citations to Mayor Tom Murphy. Matter of fact, because these fine people now have to have plot plans, they have to go in front of the Zoning Board of Adjustment, they have to spend additional dollars. And what's upsetting, what's upsetting to show that this is not a political issue, because some people might get upset from me in Knoxville, what's upsetting the task force that has initiated BBI going out to give these citations, the task force members don't even live on the street. It's Mayor Murphy's task force, and the closest person is three, four blocks down the street. So we have to be cognizant here, we have to be somewhat smart here that sure we want the neighborhoods to look nice, and we might have a problem with parking, but after 50, 55 years, you don't go to an owner and say, "Hey, by the way, you know, you have to move your car." And there's no place to park. Charles Street, Mr. Ferlo, you know Charles Street very well, you can't park on Charles Street. Mr. Onorato has been on Charles Street. Matter of fact, I'm at the point now and I'm doing a lot of things off the cuff, I'm at the point that I might just present legislation grandfathering parking in. And means the City of Pittsburgh, that if you've parked somewhere on your property for over 20 years, 30 years, 40 years, 50 years, it's grandfathered in, because if I'm not mistaken, the zoning -- the text is coming up for a vote soon. So I'm putting this notice out to homeowner's taxpayers, to

the administration, to the Planning Department that I will be drafting legislation. If someone can prove, and let me just back up, it's just like the 1954 Act, if you prove that you've had units in your structure between -- before 1954 that they've been there legitimately and legally that now obviously you can't provide parking for them, you don't have to provide parking. Well, I might have similar legislation saying that if you've been parking on your property before 1954, that car's staying there, and no one's going to move it, not BBI, not any administration, not this Council and no task force that was set up by either the Administration or this Council, or even by Gene Ricciardi.

The legislation will be coming, it will be coming soon, and I'll have it well drafted. And I look for support from this Council, and I think Mr. Onorato who's championed many causes already said he'll second it. Those people, those fine people in Knoxville are not going to have to move their cars if this legislation is successful by this body. Thank you.

The Chair:

I think we need some discussion. We had a public hearing passed one. Reminds me of some, the early Revolutionary War fathers and mothers when they were forming the government of this country, the one leader said the best thing an elected official can do is pass no new laws and repeal half of the ones --

Mr. Onorato:

Amen.

The Chair:

-- that we have. And maybe that's what we need here. I mean, common sense should prevail. And maybe there's a problem with some overzealousness on the part of some BBI person. And hopefully we can get to the bottom of this, but obviously that's a very upsetting story that you just outlined, Councilman, and obviously this Council, once again will be the provider of justice of last resort. And I'm sure we'll get to the bottom of this. Councilman Onorato had a comment, then Mr. Cusick.

Mr. Onorato:

just want to let people know that Councilman Ricciardi brought up a situation that unfortunately is common. And I just want to point out in March, last month, I spent two days in Housing Court defending residents who not only were ticketed, their cars were towed at two a.m. in the morning, and they got up to go to work, their cars were all gone, off of a resident street that parked there for over 50 years because their tires were on the curb, and because you can't get through. So they get someone to remove their vehicles. They towed all the cars. Because one person complains. And whatever happened to a warning? Hey we better sit down and have a meeting about this. You know, the cars were towed, they had bills on the average of \$115. They woke up the next day, and that's what they were faced with. So we went down there, I had to defend them in court, in open court, but they all had to take off a day's work to get their cars back. It was so bizarre, and it was just a one-time hit, no warnings involved. So this unfortunately is not unique. It's gone everywhere. We better get a handle on it.

The Chair:

Well, let's communicate directly right now to the Chief of Police and to the Chief of BBI, and issue a cease and desist order for right now until we have time to sit down and talk about this. The two stories you've just relayed here -- I said the Police and BBI cease and desist and let's get together and discuss this problem.

Mr. Ricciardi:

A friendly amendment to the, please colleagues, is that not only cease and desist, if those are the words --

The Chair:

Cease and desist.

Mr. Ricciardi:

But I want to make sure that all citations that have been granted that are stalled that Housing Court hearings are not set up at Housing Court hearings are cancelled.

The Chair:

Well, let's try to get the parties here.

Mr. Ricciardi:

No, no, that's a friendly amendment,
Mr. Ferlo.

The Chair:

Yeah, absolutely.

Mr. Ricciardi:

Okay.

The Chair:

Definitely.

Mr. Ricciardi:

So hopefully I have a second for that.

Mr. Onorato:

Second.

The Chair:

Absolutely.

Ms. McDonald:

Put this on the table.

The Chair:

Councilman Cusick. Let's try to sum up because Councilwoman McDonald has a Committee meeting.

Mr. Cusick:

I think Mr. Ricciardi showed the frustration that I had to deal with several months ago. I want to thank the majority of Council for supporting my legislation parking pad overlay districts. It was real important. It was -- I continue -- and I continue to feel your frustration, Mr. Ricciardi. I had to spend three days down the Zoning Board in regards to just that, parking pad issues that are going on in Bel Air Place and on Pioneer Avenue. It's ridiculous, it's time consuming, it's costly to the residents, and these people have

applied, two, three times, and you talk about \$115 for having your car removed, some of them have been fined up to a thousand dollars, some of them have gone before there with an attorney, the filing fee was 60 bucks a pop, and it's just very -- it's very unfair to the residents.

You yourself know, Mr. President, you have a parking pad at your home, you know yourself you've been parking there, and people prior to you owning your home have been parking there. There is no other place for you to park. That's the same situation in most of South Pittsburgh. It's something that we need to correct now. The Mayor needs to work with us along with the chiefs of BBI and the Police. This situation is not going to go away until we deal with it in the right manner and give people a fair opportunity. We ship them all over the City to go to the different schools, and now they can't even park in front of their homes. We want people to live in Pittsburgh. We want to make Pittsburgh friendly, user friendly, and that's one way we can do it, is allowing people to park on their property.

The Chair:

At some point, common sense should prevail. I refrain from commenting on Brookline Boulevard -- I mean Pioneer Avenue reconstruction. We're spending millions of dollars re-doing Pioneer Avenue. We're tearing up the curbs cuts and replacing brand new sidewalks as well as curb cuts for the homeowners. Why we require those homeowners to all of a sudden now go to the Board of Adjustments for something they've had for years, if not decades, we're spending the tax money putting back in and including the curb cuts makes no sense to me. I

don't know what idiot brain child is coordinating that construction project, but we're already out there doing the work. Why are we requiring those homeowners to go back to the Board of Adjustment for something that we're about to tear up and fix anyways. The whole thing makes no sense to me. The Onorato situation makes no sense to me, and certainly Knoxville makes no sense to me. So if there's somebody still over there on the other end of the 5th Floor, could they please intervene and resolve this matter, because this is just a ridiculous situation, and it's ridiculous.

Mr. Ricciardi:

I'd like to respond to --

The Chair:

It's going to turn into a Marx Brothers routine here if it gets any crazier.

Mr. Ricciardi:

Mr. Ferlo, I'd like to respond, I'd like to respond to that because I think you're using the very -- if I could respond to that --

The Chair:

Yes.

Mr. Ricciardi:

-- Mr. President, because I think you're really trying to look at it very objectively, and if we use common sense. It's not only going to work well for the person, the taxpayer but also for the process. Because if we use common sense, it's going to help me refrain from

putting forward my legislation, which I think I'll get six or seven votes for -- meaning grandfathering in people that have been using those parking spots before '58. So what I'm saying is I'm saying now to the administration if you're smart enough to use common sense, look at these situations on Pioneer and in Knoxville and that Mr. Onorato spoke about. We don't then need to come back forward with our legislation, hopefully they'll take 56 days, rescind all these citations, use common sense, we don't have to come forward.

The Chair:

We might make it '90. Any other discussions?

Mr. Cusick:

Mr. Ferlo, I want to bring up a point at the public hearing that we held, a discussion held on parking pads, I had brought up a -- hopefully an alternative and I needed to come back to this Council and maybe make an amendment to that parking pad legislation that anybody that applied for a parking pad within the last two years gets the opportunity to do it at no cost. This is ridiculous, we've created these overlay parking districts now, and now \$60 so they can do it the right way when we haven't done our job up until recent months in regards to the parking issue. So I think that's something we need to revisit.

The Chair:

I'm sure all will co-sponsor. Last word.

Mr. O'Connor:

Everything was said -- I hope maybe the police chief would set some common sense guidelines before they tow cars.

The other point I had, Joe, I've been up in Pioneer, if we're putting all the -- tearing them up after someone gets their pads or designing them for the pads --

Mr. Cusick:

They're doing the curb cuts, the City is making all kind of cuts but also making you go down and file for a curb cut.

The Chair:

We are spending to put back the street sidewalks and the curb, in fact, we've already given official sanction.

Mr. O'Connor:

For the pads?

The Chair:

We're spending our millions putting back the curb cuts. Now why are we requiring these before the Board is completely idiotic. That's the heart of the concern.

Mr. O'Connor:

Some are asking for two.

Mr. Cusick:

Some people are actually going to have to miss a day's work to go down there.

Mr. Ricciardi:

Three of the -- make sure you mail all three.

The Chair:

Yes, North Side, Knoxville, Pioneer, I'm sure we're going to get some results.

Any other discussions? Please, Councilwoman McDonald is going to be convening the post agenda for the KKK.

The City Council meeting which normally is going to be held at 10:00 a.m. Tuesday, April 22nd, rather our meeting will be held on Monday, April 21st at 2 p.m. due to the observance of Passover, please, our next meeting will be Monday, April 21st, at 2 p.m. to observe Passover.

Mr. O'Connor:

I want to register an aye vote on those last couple of amendments.

The Chair:

Any other discussion? Councilwoman McDonald, the post agenda meeting will begin in five minutes. With that, this formal meeting stands adjourned.

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCIO Deputy City Clerk

Pittsburgh, PA
Tuesday, April 21, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

The Chair:

We have a number of guests in the audience today, and we'll bring up shortly; but at this time I did also want to recognize -- I see our State Representative, Tom Petrone, here in Council Chambers.

Good afternoon. Thank you for attending our session.

And at this time, would you all please rise for the Pledge of Allegiance, and would you please remain standing for

a moment of silent prayer, so that we may have peace throughout the world.

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you.

At this time I'd like to call on Councilman Cusick.

PRESENTATIONS

Mr. Cusick:

Good afternoon. Would the folks with the March for Parks please come forward, and Regent School?

First of all, I want to thank everyone for coming down here today and taking your time to spend it with us and share -- and share in a celebration of some sort for all of Pittsburgh.

No. 1851 WHEREAS, the March for Parks in America's only national walk event in parks and open spaces is sponsored by the National Parks and Conservation Association in cooperation with the Partners-in-Parks Program.

WHEREAS, the March for Parks will be held in more than a thousand communities on Earth Day weekend,

April 18th through the 22nd, 1997, and it involves more than \$1 million citizens whom March for Parks events raised more than \$2 million to benefit state, local, and national parks;

WHEREAS, the March for Parks will not only raise awareness but also raise necessary funds for park improvement, protection, and public education, benefiting national, state, and local parks;

WHEREAS, those participating in the March for Parks are demonstrating that they are committed to protecting and revitalizing our natural treasures for the generations to come;

WHEREAS, the local Marchers, Partners in the Regent Square Elementary School, also known as Academy W.I.L.D. or Wilderness Investigation and Learning by Discovery, the Academy of W.I.L.D. is a comprehensive multidisciplinary K through 5 grade level program designed to develop the awareness and appreciation for the environment and natural world. The location of the appreciation -- the location of the school next to Frick Park allows children -- allows students to utilize the natural environment;

WHEREAS, Partners-in-Parks have been working with W.I.L.D. to establish the March course and determine how the funds will be used 100 percent of the funds will be used in Frick Park;

WHEREAS, the March for Parks, organized by Regent Square Elementary School Parents Community Councils, will take place on Tuesday, April 27th, 1997, and all the children's grades K through 5 will be hiking in Frick Park collecting

pledges for the purchase of two picnic tables, which will be placed at Frick Park.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the efforts of the Regent Square Elementary School and the Partners-in-Parks in organizing the March for Parks and calls upon the residents of the City of Pittsburgh to observe and to participate as well as the days ahead with respect and sensitivity for the City's precious parks and public spaces.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby declares Tuesday, April 22nd, 1997, as March for Parks Day in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. CUSICK seconded the motion.

Which motion prevailed.

Mr. Cusick:

We are very honored, with us today -- and I'm going to allow them to acknowledge themselves. Who is here from Regent Square Elementary School?

You can give them a big yell.

I'm very honored today to be the Chairman of the Parks and Recreation, to have these children and their parents and faculty members from the school and Mary Esther Vanshura, the Assistant Director from Public Works, to be here with us today.

I think this is something that's very important, that we all participate and take part in our parks; and this is definitely one of the better programs that we are fortunate to be involved here in the City with.

So with that, I'd like to introduce Francene Joran, the Principal of Regent Square School. And if I could and give you this plaque.

Ms. Joran:

This is a once-in-a-lifetime opportunity where one can publicly acknowledge the excellence of a Parent Community, a body of students, and a staff of a school.

Our walk in the park -- an idea brought to us by Mary Ester -- is more than just this march for the ownership of our natural resources. It is a way of life. It is the establishment of an ethic of caring. We care for one another and our resources.

I want to thank you very, very much with all the earnesty that I have, giving us this opportunity to share and for you sharing our resources with one another. Thank you so much.

Mr. Cusick:

Thank you.

We also have Adrian House, the parent representative, if you would, please.

Ms. House:

Thank you.

I'd like to thank our Principal, Mrs. Joran, and also Councilman Cusick for his much-appreciated support in our efforts to develop our kids to be environmentally conscious. So thank you so much for this Proclamation.

Mr. Cusick:

And finally but not least, Rob Rogers. Rob, would you like to say a few words, please?

Mr. Rodgers:

This is my first time in the City Council Chambers. I'm proud to be here with this illustrious group.

We want to invite you to come out to March for Frick Park with us. We feel fortunate to live near the Frick Park area and to take part in the wilderness initiatives and cooperative learning of the Regent Square School. We have children from East Hills, Regent Square, Point Breeze, Swisshelm Park.

We, like many of the people in the community, are in a daily learning experience of learning to live together, different cultures; and we believe that the wilderness and the common ground that we share at Frick Park and the western Pennsylvania Pittsburgh region, we have many different histories, but one common ground, and we look forward to learning together how that affects us in Pittsburgh.

Thanks for being -- inviting us here to be a part of the political process. We appreciate that.

Mr. Cusick:

Would the PTO Rep like to come up and say a few words, please, and introduce yourself? I'm sorry.

Ms. Thielet:

They didn't tell me this would happen, but we are grateful to be here; and thank you for the opportunity to be recognized for our children in the area that we have a school that these children can go to. It's most delightful for them to participate in activities that take place in this park all the time in Frick Park; and they have gained a wealth of knowledge by being able to go out and enjoy this City park area which most school's and children's areas don't have adjacent to their school Learning Center, and we're happy for that. And thank you, again, for the opportunity to acknowledge us.

Mr. Cusick:

I'd like to -- prior to allowing Councilman O'Connor to say a few words, since this school is in your District, tonight, Councilman, if you allow me, I just want to acknowledge some other people that are here.

Mary Young, a first grade teacher; and Dwayne Rawls, a science teacher, Dwayne, thank you; and Dixie Thielet; and Julie Christy; Adrian House, whom you all met; Francine Smith; Linda Miller; Mattie Harris; and Rob Rogers. And we appreciate all the work you put in with the children.

But the important part here is, we want to acknowledge the children who are involved here. Patina House -- raise your hand as I call your name -- Jody Howe,

Joey Howe, Sean Harris, Alyia Smith-Parker.

Ms. Smith-Parker:

Alyia.

Mr. Cusick:

Alyia, I'm sorry Alyia; Remy Harris, Bettina House, Elizabeth Rogers, Shannon Musgrove, Tory Miller, Chestina Stewart, Julie Gzesh -- Gzesh, Michael Sirocca, Laura Thielet, Elizabeth Rogers -- did I say Jada Dudley, Rachel Christy, and Ron Stewart?

Thank you very much for all your help.

Did I miss anybody?

Okay. Thank you.

Having said that, I'd like to introduce our Assistant Director, Mary Ester Vanshura.

Ms. Vanshura:

Thank you, members of Council and guests.

We're deeply appreciative to Regent Square.

When I first went there that evening, and also the day I met with Ms. Joran, we could not have been welcomed more enthusiastically, because of their, really, spirit and enthusiasm for all aspects of life. So we are eternally grateful to you.

I also, on behalf of this project, we're in obviously honoring Earth Day and we encourage all members of Council who are assembled here to celebrate life; and to encourage you to do that, we have little packets that we will be giving on recycling to the children tomorrow at the march, but at this point I'd like to give them to each of the members of Council and to our guests.

Thank you.

Mr. Cusick:

Thank you.

Mr. O'Connor:

Thank you all very much.

I just admire this young man. He looks like a soldier standing there so straight.

Thanks for coming down. And Regent Square, a unique school. It's tucked away right in the park. So it's -- people don't see it riding up and down the street. In fact, they even have our -- my Little League's batting cage in the back. So it's a great neighborhood and you're really doing a great job in keeping our park.

Frick Park is such a treasure to our City and shared by so many and the walking trails and, again, I want to commend everyone for staying involved and what time are we -- we're starting at 9 o'clock tomorrow? 9 o'clock. So we'll all be out there to meet you guys and have a lot of fun. Thanks for coming down.

Mr. Cusick:

Again, we'll all get a picture; but prior doing that, would you join in a hand of applause for the children here involved?

Mr. Cusick:

We have one -- do you want to say a few words? You got to introduce yourself, so I don't say your name wrong.

Ms. Smith-Parker:

My name is Alyia Smith-Parker; and at Regent Square School, we do a lot of fun things at Frick Park. We do hiking, and we have picnics, and we do all kinds of things at Frick Park.

Mr. O'Connor:

Anyone else want to say anything?

Mr. Cusick:

As those folks sit down, if the Carrick Go Green Project could please come up?

Mr. Hertzberg:

They didn't hear you, Councilman.

Mr. Cusick:

The Carrick's Go Green Project, please come up, the people involved with the Carrick's Go Green Project, if we could begin this next Proclamation.

It's very, very much of an honor for me to do this when, not only as the Chairman of the Parks and Recreation, but as the person that is directly involved with the Carrick organizations.

MR. CUSICK PRESENTS:

No. 1852 WHEREAS, all the major community groups in Carrick, including the Carrick Community Council, the Carrick Business Association, the Carrick Athletic Association, the Carrick Block Watch and with -- and with the Carrick Friends of the Library Groups have formed the Carrick Works Planning Forum to help formulate neighborhood policy with one voice;

WHEREAS, Carrick has been selected by Conservation Consultants, Incorporated, a non-profit, economic environmental education and service organization, to be the City of Pittsburgh's first "green neighborhood", a program which involves the entire community with the application of sustainable principals to preserve natural resources for the future generations; and,

WHEREAS, the residents are committed to working on goals in the neighborhood, beautification and substantial development recognizing that the substantial development aligns environmental concerns with the environmental initiatives to revitalize the community by cutting residential and commercial energy costs; and,

WHEREAS, the Carrick Works Planning Forum committed to the neighborhood's greenery energy savings has been recognized by the Department of Energy with the designation of Carrick as one of the first Cool Communities north of the Mason-Dixon line; and,

WHEREAS, Cool Communities is the national recognition program for the strategic tree planting for energy conservation purposes that promotes the

strategic planting of trees to cut home energy bills; and,

WHEREAS, the Carrick Works Beautification Committee, the Pittsburgh Shade Tree Commission, Partners-in-Parks, Giant Eagle, Conservation Consultants, Incorporated, the Western Pennsylvania Conservancy, the City of Pittsburgh Forestry Department, the Department of the Conservation and Natural Resources, the Pennsylvania State University Washington County Cooperative Extension Service has been collaborated on April 27th, Carrick Goes Green Tree Planting and Beautification Day; and,

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Carrick as the City of Pittsburgh's first Cool Community and acknowledge it is the leadership of the collaborators to find new mechanisms to promote Pittsburgh's urban forest and save energy, and commends the cooperation between Carrick's organizations.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby proclaims Sunday, April 27th, 1997, as Carrick Goes Green Tree Planting and Beautification Day and encourages all residents of Carrick to join in on a tree planting and beautification project on Brownsville Road, that day, from 1:00 to 3:30.

MR. CUSICK moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Cusick:

Like I said, it does give me great honor, because I have had the opportunity over the past few years to work with all of these groups; and they do an outstanding job. At one point, Carrick, Carrick did -- said that they were one of the forgotten communities of Pittsburgh. That is no longer true.

Carrick is very much alive and it shows, through the cooperation and the work that the Carrick groups have done. I'm very proud of Carrick and I'm very proud of everything that they've been able to accomplish and I continue to give my support to them in any way that I can to keep making Carrick become beautiful.

We got to realize that this is one of the premiere routes of the south suburbs. The south suburbs, is Brownsville Road; and what has gone on up there in the last few years, I think, is really a credit to the residents, to the business community, to all of the organizations that work so hard to make us see that that happens.

With that, I'd like to bring Ann Gerace -- I can kill a name real quick -- from Conservation Consultants, Incorporated, up to say a few words, and give you this plaque. Thank you.

Ms. Gerace:

Thank you very much.

Thank you all very much.

I just would like to take this opportunity to invite you to come to

Carrick on Sunday at 1 o'clock. We're meeting at the Union Baptist Church; and that address is 2019 Brownsville Road. We're going to plant 15 bag and burlap trees along Brownsville Road. Come along and make Carrick a Cool Community. Plant a tree to save energy. Thank you.

Mr. Cusick:

That's not to say Carrick wasn't a "cool" community before.

Ms. Gerace:

Depending on how you define it.

Mr. Cusick:

Yes.

We have somebody here who is real special to a lot of things we do in Pittsburgh; and she's from the Heinz Endowment sponsoring the Green Projects. I mean, without the Heinz Endowment, I think that a lot of the programs -- good programs -- that go on in the City would be, would unfortunately not happen; and that is Melissa Crawford. Melissa, would you please --

Ms. Crawford:

Thank you.

I just want to say on behalf of the Heinz Endowments, as a major supporter of the Green Neighborhood Initiative, thank you, Members of City Council, for recognizing Carrick as the first green neighborhood.

The Heinz Endowment see the Green Neighborhood Initiative as an

opportunity for Pittsburgh to further its environmental and economic Renaissance; and by having residential and commercial energy costs which will improve business profits, an increased disposable income for residents, while conserving natural resources.

We hope that Carrick becomes a national model. We also hope that Carrick is replicated neighborhood-by-neighborhood throughout the City of Pittsburgh.

In fact, I believe it's on its way to Knoxville and Lawrenceville as we speak.

And collectively, we see this initiative as part of a larger initiative, the Environmental City Initiative, which last December was kicked off by the Mayor, Tom Murphy, as a way to work to make a new Pittsburgh.

Thank you.

Mr. Cusick:

Thank you.

Thank everyone from Heinz for all of us I think that we really appreciate all the hard work.

I'd like to introduce some others, Julie Murphy, from Conservation Consultants, Incorporated, would you like to say a few words?

Rhonda Gethers from the critical support with Partners-in-Parks; Carol Bell, she's a volunteer, thank you very much Carol for all your work; Myrna Antonio-Hall, as we all know is our Program Coordinator with

Partners-in-Parks; and Mary Ester VanShura is out there. And we just want to thank all of you for all the good hard work.

Carrick is "cool", always will be "cool", and let's continue to do the good work we have been doing there.

Thank you.

Mr. Hertzberg:

Andy "The Kid" DePaul and his entourage, would you please step forward?

Councilman Cusick, could you also join us, please?

Mr. Cusick:

I'd be honored.

Mr. Hertzberg:

Thank you.

It gives me great pleasure to read this Resolution in honor of Andy "Kid" DePaul, who I met when I grew up, growing up with his kids and I think he's one of my good friends, ended up being his son-in-law.

I hope we didn't hurt you with that one, Andy.

Anyways, what we're all here about today, I think if you've seen any of the amateur boxing matches anywhere in the Pittsburgh and western Pennsylvania region, you're probably aware that they end up being fund raising events for local charities.

I know in Council District No. 2, St. Mary's has been fortunate to be a regular participant in amateur boxing and has raised a lot of money for athletic programs at St. Mary's; and this Friday night, in Sheridan, we're having amateur boxing and we're actually going to be using the funds raised from that to help us with new playground equipment for Sheridan Park, and we couldn't do it without our Boxing Commissioner, Andy DePaul. And I thought this would be an appropriate time for us to honor him, because he's truly a great individual from western Pennsylvania that really helps the entire region in the City of Pittsburgh, and he's got his roots deep in Pittsburgh in the West End.

MR. HERTZBERG PRESENTS:

No. 1853 WHEREAS, Andy DePaul grew up in the 1930s and 1940s in a home on Warden Street in the West End neighborhood of the City of Pittsburgh;

WHEREAS, as a child growing up in the West End, Andy often was forced to participate in fist-fights while walking to and from St. James School on Main Street in the West End.

WHEREAS, at the age of 14, Andy began his career in the sport of the boxing and was quickly given the boxing ring nickname "Kid DePaul";

WHEREAS, that boxing career included a national Golden Gloves Championship in the 135-pound weight Welterweight Division and a record of 82 wins, and 10 losses;

WHEREAS, as a professional boxer, Andy "Kid" DePaul was a

top-ranked middle-weight contender, with a record of 28 wins:8 losses:and 3 draws;

WHEREAS, Andy remains very involved with the world of professional and amateur boxing, serving as a referee in professional title bouts; and since 1990, as the Western Region State Athletic Boxing Commissioner;

WHEREAS, Andy is an excellent role model to young boxers, and Andy encourages local amateur boxing clubs to hold events to raise funds to benefit local community organizations.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh recognizes, commends, and thanks Andy "Kid" DePaul for his many years of service to boxing and for all the positive recognition he gained for the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

And with Andy, of course, we have State Representative Tom Petrone, Armen Poliziani, and Hal Siegel, and, of course, Councilman Cusick.

And I think we ought to begin by hearing from Andy "Kid" DePaul.

Andy "Kid" DePaul:

Good afternoon. Thank you very much, Council.

I didn't expect this. I thought we were coming down to discuss the boxing show Friday night; but I really want to commend Alan Hertzberg and Representative Petrone on taking a lead from Mt. Washington that St. Mary's has had boxing for the last three years.

And I don't want to be sour on anything, but I want to tell you something, we had the finals of the Golden Gloves last week and I want you to know that only poor kids box. I have no boxing clubs in Mt. Lebanon or Fox Chapel or anything else. Poor kids box.

Not one word in the Pittsburgh Post Gazette about the finals of the Golden Gloves, which we are sending a representative -- a team to Harrisburg this next week, but we need some help in boxing; but I want to tell you that boxing in Pennsylvania ranks 5th in the United States.

We had 47 professional boxing bouts in Pennsylvania last year, and we had about 11 in western Pennsylvania; but I do mostly the shows in Erie, New Castle, Washington, PA, Butler, and I think I had two in the City of Pittsburgh.

It's pretty tough to find a promoter here; and right now I'm looking for a gymnasium or a hall with an 18-foot ceiling where I can bring a professional boxing show that will be on TV, national TV, if I can get a place in the City of Pittsburgh, and the rent cannot be over maybe \$2,000. Because I can get the Hilton for 3,500, and the promoter won't go for it. But we can use the help. But boxing is alive in Pennsylvania and getting bigger and better every year.

I would just like to thank you, again. This was unexpected; and I appreciate the thought that went into this.

Thank you all very, very much.

Mr. Hertzberg:

I do have tickets for this Friday night, they're right here. You can get the ringside, ringside is \$12 right here, the red tickets, so let me know.

State Representative Tom Petrone:

Thank you very much.

Mr. President and members of Council and Councilman Hertzberg, it's a particular pleasure for me to be here today, because I kind of grew up with Andy "The Kid" in the '40s.

Some of you may remember what the world was like then. There was a lot going on. Everybody's heroes were people like Hank Greenburg, Douglass MacArthur; but when we grew up, he was our hero. We used to follow him and try to keep up with him as he jogged up Plank Street through West End Park and was working out for some of the big fights of his day when he became a welterweight champ. He encouraged so many of us, poor kids in the West End, to turn to sports to stay clean, to stay healthy. It's a good thing. It really is. And when he said about poor kids box, so many guys that kept them out of trouble. It's a true thing. And today, we still look to help kids that way.

So of all the wonderful people and great heroes that I've met in my life -- and

I've met a lot of them -- this is a genuine one here, right here, this guy.

Thank you for this honor. Good luck.

Mr. Hertzberg:

I think Councilman Cusick would like to say a few words. He may be able to relate a few stories.

Mr. Cusick:

I think I had one of the rare opportunities to have met Mr. DePaul at a very young age. I boxed many years for the Golden Gloves and Silver Gloves and throughout Pennsylvania and sometimes in West Virginia.

It was always an honor to meet you and to bump elbows and you always had a good word for no matter who it was, whether the kid was from Pittsburgh or West Virginia or Philadelphia for that fact, I mean, you truly are and have been someone that all kids can look up to and we appreciate that.

Myself and Councilman President Ferlo had gotten the opportunity about a year ago to go out and watch some fights and, but, unfortunately, we had to go to Monroeville to do that. And that's real sad. Because one of the -- some of the greatest fighters that ever fought in the game of boxing have been from right here in Pittsburgh, the Billy Kahns, the Andy "Kid" DePaul, Charlie O'Feefe. And their memories should never, should never -- that should never have left Pittsburgh and it shouldn't.

And we need to participate in finding and housing a place here, right

here in the City of Pittsburgh, so that we can bring in the television, ESPN, or whoever it may be to see these young kids and how hard that they work, hours on hours of training for just three, three-minute rounds. It should not be -- it should not be something that we miss. We all should participate.

I'm just proud that, that you're our Boxing Commissioner here in western Pennsylvania and you want to bring that back to Pittsburgh, back to the days of when, you know, the neighborhoods meant something and the neighborhood guy meant something and that's what it's all about.

Thank you so much for being here and being a part of everything that goes on here in Pittsburgh. Thank you.

Mr. Hertzberg:

Thank you, Joe, and thanks everyone.

Hope to see everyone Friday night. Doors open 6:30. Boxing starts 7:30. You can get the \$8 ticket, 10\$ ticket, \$12 ticket.

Mr. Onorato:

Is that from "Don King" Hertzberg?

Mr. O'Connor:

Andy Hertzberg.

Mr. Onorato:

Andy, fluff your hair up a little.
The Chair:

Wait a minute. There's going to be some boxing here in a couple minutes, so hang on.

Mr. O'Connor:

I can't get no respect here. A little attention here.

Andy -- go ahead.

Andy, are you guys finished posing?

The Chair:

They can hear while you speak.

Mr. Cohen:

I just want to -- I've known Andy a long time, so I just want to thank him for -- congratulate him, really, on this tribute. And I have been to quite a few of your boxing shows and they are great. I take my son. If you really want good entertainment, I mean for three rounds and especially I think the smaller the guys have the more heart and more action.

So I encourage everyone to go out. And what wasn't alluded to that all the charity and the work you do and any time I've ever picked up a phone and requested support from you, you've always been there. So on behalf of the people you've helped in Pittsburgh, thanks a lot.

Andy "Kid" DePaul:

I just want to say one more thing.

The Chair:

What do you think, we're going to say no?

Andy "Kid" DePaul:

I just wanted to say one thing. The Pittsburgh Golden Gloves at one time used to attract 16,000 people at the Civic Arena and give over 25 to \$35,000 a year to Children's Hospital.

We have none of that any more, because we have to take the fights to Monroeville because of the, the owner there is very good to boxing, Al Monzo; but we're looking for a place in Pittsburgh where we could get someone to back us, because I know City Council did back us before, the Mayor backed us to help us with the boxing. It was a great evening of fun and excitement in Pittsburgh when you draw 16,000 at the Civic Arena, everyone makes a lot of money, and it's good for charity and it's good for boxing, because Pittsburgh, we have three 10-round fighters fighting right now on national television and one just got beat the other night, Roy Jones; but Danny Connelly's fighting Macho Camacho in St. Louis Missouri; and Arthur Allen from Wilkinsburg is fighting Danny Rosenblat in Boston, all on television. Not a word in the paper. So if you can help us out, we sure can use the help.

Mr. O'Connor:

Let's wake them up.

The Chair:

Thank you very much.

We have to get the Post Gazette some of those shares in boxing, maybe like the Pirates, maybe they'll report on it.

Mr. Onorato:

At this time would the students and everyone associated with Schiller Classical Academy come forward?

I couldn't resist, Alan.

Come on over here.

We also have, in addition to the children of Schiller Classical Academy, Ann Fortiscue, am I pronouncing that right? And Dr. Van Beckhaul, from H.J. Heinz Museum and we have Principal Richard Gutkin, Gutkin. Okay.

All right. I'm going to read the Proclamation and turn it over to the Principal and hear from some of the representatives here.

MR. ONORATO PRESENTS:

No. 1854 WHEREAS, Schiller Classical Academy works to ensure the students achieve the highest standards and that their education at Schiller is relevant to their needs;

WHEREAS, the Parents School Community Council of Schiller Academy works to broaden community understanding of the involvement in the education of today's youth and both the school and the community are strengthened through a closer communication and cooperation;

WHEREAS, the parents goal Community council of Schiller Classical Academy regards education as an enterprise that grows and becomes more valuable when the school and the community invest their talents and energies, collaboratively and strategically, to bring about mutually-beneficial goals;

WHEREAS, Schiller Classical Academy and the Heinz Regional History Center have formed an educational partnership, which is an enhancement to Schiller's Interdisciplinary Program.

During the first year, the museum-school partnership has planned and implemented a teacher in-service for the Schiller staff at the History Center, conducting museum visit programs for students in grades 6th and 8th, and conducted follow-up planning sessions on integrating the 7th grade curriculum into a pilot museum visit program, exploring conflict, resolution, using the History Center exhibit points in time;

WHEREAS, the goal of the partnership is to develop ways to use the museum as an extension of the interdisciplinary studies that are the cornerstone of Schiller's curriculum and to design museum visit programs and related classroom activities that enhance middle school curriculum and capture student interest in learning about the past.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend all the individuals from Schiller Classical Academy, the Parents School Community Council, and the Heinz Regional History Center for establishing an educational partnership, which will help foster productive relationships between the school and the community and wishes them to best of luck in their new endeavor. **MR. ONORATO** moved to approve the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevails.

Mr. Onorato:

Congratulations.

Before I turn the mike over, I just want to add some comments here, personal comments. Schiller Classical Academy is in the Spring Garden section of the North Side, but this particular program, I think, is important, because when we fund and we vote on a lot of these cultural trusts or cultural events and cultural activities in the City, our concern always is, is there any outreach to the children of the City?

We know that the surrounding areas of the tri-state area come in to see the events, but have you have a school that's less than a mile-and-a-half across the river. And, yet, it can be a world away sometimes with some of the activities; and this is one example that I think we can use to really expand on some of the cultural events that we have in this City, to tap in to the students that are in the City.

So I want to thank you for this partnership and if you want to elaborate on anything. Congratulations.

Mr. Gutkin:

Well, on behalf of the staff and students and parents of Schiller Classical Academy, I'd like to thank Council and Councilman Onorato for this wonderful Proclamation. We feel that we're also a unique school, in the City of Pittsburgh. We're a 6th, 7th, and 8th grade middle -- magnet middle school located in the North Side area of Pittsburgh, but we do have students surrounding the entire area of Pittsburgh.

Some of the best things in life are things that happen when you don't really expect them to happen and our Classical Academy curriculum -- the purpose of it -- is to study various cultures and civilizations as they move through time; and the first civilization that we study as the students in 6th grade is our own. And we have been working a number of years with the Historical Society and then when they moved into the beautiful museum at the Heinz History Center, we approached them for the possibility of doing something a little bit more of the department of the basis, it's permanent basis, and it's just been a wonderful, wonderful partnership so far.

Almost all of our students already this year have had some sort of educational experience at the History Center. Our staff had a full day in-service at the History Center earlier this year. We had a community outreach event at the History Center. Where we invited all the community leaders of the area to come in and meet with us and learn about Schiller a little bit; and it's been a wonderful partnership. The people from the History Center have a fine museum. They're just wonderful people to work with.

So we want to thank everyone. We want to thank Council again and thank you for recognizing our school and our partnership.

Can I -- I had a few helpers that came to tell me what to do when I came to Council, so I'd like to at least have them come up and introduce themselves briefly.

Mr. Meier:

Andrew Meier.

The Chair:

You can make a speech, too, if you want to say something about the program.

Ms. Barn:

My name is Lea Barn. I really do enjoy the program with the Heinz Center. I'm in the 8th grade. We visited one time and it was very informational, and I would just like to thank you.

Mr. Lewis:

My name is Griffin Lewis and I'm in the 6th grade. I'd like to say thank you to the Heinz Program and to our Principal for getting a partnership with Heinz so I could frequently experience a lot of the programs that allow me to learn about the history and cultures of Pittsburgh. Thank you.

Mr. Hertzberg:

Thank you.

How about a representative from the Heinz Museum? Who would like to say a few words, please? You're a big partner in this.

Ms. Fortiscue:

Thank you very much. I'm Ann Fortiscue. I'm the Director of Education at the Heinz History Center, and along with us today is Barbara Buddy, our school program's coordinator, and Dr. Van Beckhaul, a member of our Board and Chair of our Education Committee.

We have a standing Education Committee that helps guide us in the work that we do with our schools and truly the invitation from Dr. Gutkin to join in a partnership was one that we couldn't resist. Even though we have just barely been open a year, we thought we'd seize the opportunity and take it to its full extent; and for that, we're grateful to you. Thank you.

Mr. Hertzberg:

Thank you. Let's get a photo.

The Chair:

Mr. Hall, would you would like to say a few words?

Mr. Hall:

Sure.

One thing I would like to say, we have been working with students and teachers now for over 11 years on the Education Committee. And there is one point I'd like to make and that is very important, and that is, you hear a lot of negative comments about students and teachers. They're not all true.

The students and teachers that I have met and worked with over the past 10 to 12 years have been exceptional people who have been working very hard, very diligently, and very effectively with some very bright, articulate, and rapidly-developing students.

The Chair:

Thank you, Dr. Hall.

Mr. Onorato:

At this time the people associated with the Three Rivers Heritage Trail, please come forward.

And as you're walking forward, Councilman Udin and I have a joint proclamation here. And with us today is Cheryl Stewart Miller, from the Communications Department of Heinz. We have a Bo Durkacz from Mercy, the VP of Pittsburgh Mercy Foundation; Seddon Bennington, the Executive Director of the Carnegie Science Center; Gary Schwager, Board Member of Friends of the Riverfront; and, of course, Myrna Antonio-Hall, Partners-in-Parks; and Mary Ester; and we have a lot of individuals that have been very active with Partners-in-Parks that are here for several awards, but I think that speaks for itself, all the activity they're involved with.

**MR. ONORATO AND MR. UDIN
PRESENT:**

No. 1855 WHEREAS, the Three Rivers Heritage Trail is a spectacular trail and a greenway system around Pittsburgh, it connects a true cross-section of Pittsburgh from the century-old Heinz at USA processing facility to the sparkling new Carnegie Science Center;

WHEREAS, it offers a complete public route for pedestrian/cyclists and commuters along the banks of the Allegheny, Monongahela, and Ohio Rivers. The trail offers views of the Pittsburgh's Point from three sides and creates an exciting environment for economic development;

WHEREAS, due to the efforts of the Friends of the Riverfront and

Partners-in-Parks, a Trail Adoption Program has been developed; and,

WHEREAS, Pittsburgh City Council would like to recognize the initial trail adopted for the North Shore segment of the Three Rivers Heritage Trail;

WHEREAS, Council recognizes the importance of the roles of the volunteer from Friends of the Riverfront, along with the tree initial adopters -- the three initial adopters, Pittsburgh, Mercy Health System, Heinz USA, and the Carnegie Science Center; and,

WHEREAS, on April 26th, 1997, at 11:30 a.m., there will be a formal recognition ceremony to honor the adopters. The location is the River Rescue Facility, located across the 6th Street Bridge on the North Side. There will be music, food, an educational tour, and fun for everyone.

NOW, THEREFORE BE IT RESOLVED, the Council of the City of Pittsburgh, hereby commends all of the individuals involved in making Three Rivers Heritage Trail a spectacular success.

FURTHER BE IT RESOLVED that the Council sets Saturday, April 26th, 1997, as a day for everyone to get out and become familiar with the trails and recognize the efforts of the Three Rivers Heritage Trail volunteers.

MR. ONORATO moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Onorato:

Before I give the Proclamation over and turn it over to Councilman Udin, I just wanted to say that the Trails on the Riverfront have come a long way from an idea to the actual development of the trails; and one of the interesting side effects, I guess you could say, of the trails in addition to its obvious recreational and beautification of the Riverfront is that it does help spur development. The cleaning up of the Riverfront banks has actually helped us to make the North Shore one of the most attractive real estate proportions in the City of Pittsburgh.

So there is a direct economic benefit to doing this. It is not just to create an area where people can walk. That is the start of it; but the economics spinoff with the ALCOA headquarters, the Heinz Plant, the Washington's Landing, and I can go on and go on. I think it really pays for itself over and over again; and I want to congratulate you.

At this time I want to turn to Councilman Udin, and then we'll hear from some of the representatives here.

Mr. Udin:

Thank you.

I want to thank Councilman Onorato for initiating this legislation to recognize the important work of the Three Rivers Heritage Trails. There is nothing quite like getting people to the Riverfront that really brings people out of their neighborhoods and helps them experience Pittsburgh. And so it's a joy to have so much in my District involved with the Riverfronts in all three of the rivers; and the

Three Rivers Heritage Organization has been very, very effective in organizing volunteers and building up those Riverfronts.

They started out as commercial waterways and transportation waterways, and we're now converting them into recreational areas; but only with the help of volunteers like yourselves. So thank you very much.

Mr. Onorato:

Thank you.

At this time if Mr. Bennington, the Executive Director of the Carnegie Science Center would come forward.

One of those assets along the Trail.

Mr. Bennington:

Thank you.

Yes. I think I was quite inspired when they decided to build the new Carnegie Science Center on the Riverfront and I'm just thrilled that the Science Center can join with other partners along the river and really realize the wonderful potential of the Riverfronts for the public of Pittsburgh.

Mr. Onorato:

Thank you.

Cheryl, would you like to say something from Heinz?

Ms. Stewart-Miller:

Heinz has been on the North Shore of Pittsburgh for more than 125 years

building a reputation on quality pure food products. And Like our founder, our company and our employees are very, very happy to participate in good works in the communities in which we live and work and specifically in this particular project which will beautify the Riverfront of Pittsburgh, not only for the citizens of Pittsburgh today and surrounding areas, but for many populations and generations to come.

Thank you.

Mr. Onorato:

Thank you.

Mr. Durkacz, say a few words, from Mercy Foundation.

Mr. Durkacz:

Thank you.

Mercy Hospital has been part of Pittsburgh for 150 years. As a matter of fact, this year, we're celebrating our sesqui-centennial; and we have been committed to Pittsburgh as well as the residents who live here and I think our involvement in this project is just an example of that. So on behalf of Mercy, I want to thank Council for this recognition.

Most of all, I want to thank all of the volunteers who came out this past weekend and really worked hard to really beautify the Riverfront. This is kind of a natural for Pittsburgh Mercy Health System, because many of you might be aware, we also co-sponsor the Head of the Ohio Rowing Regatta, which is a featured event here for the City of Pittsburgh; and we're pleased to co-sponsor that with Three Rivers Rowing Association.

So thank you, again, on behalf of Mercy.

Mr. Onorato:

Thank you.

And Gary, a Board Member from Friends of the Riverfront.

Mr. Schwager:

On behalf of the Friends of the Riverfront, I would like to extend our heartfelt appreciation to Mercy Hospital, Heinz USA, and the Carnegie Science Center for their leadership in making it possible for the first time in 100 years for the public to have access to a beautiful, litter-free, litter-free and graffiti-free riverfront that will be beautified by a series of flowerbeds that they'll be creating with their volunteers.

Now, the entire North Side, extending from the Science Center all the way up to Washington's Landing, has been adopted by some form of private sector organization, so I think this is a real landmark for Pittsburgh and demonstrates the type of cross-section of Pittsburgh community that will join together to, to take part in claiming our natural resources and working for the community's benefit.

Thank you very much.

The Chair:

Councilman Udin, I believe you have one to be read into the record.

Mr. Udin:

Read and adopted.

MR. UDIN PRESENTS:

No. 1856 Whereas, Hand-in-Hand, Inc. will celebrate their 26th year anniversary on Saturday, April 19, 1997 at the Sheraton Hotel; and

Whereas, this year's theme is "Hatred/Violence.....How can we heal the wounds?"; and

Whereas, under the direction of the National President, Alfreda Tyson, Hand-In-Hand, Inc. has been able to contribute over \$100,000 in scholarships over the past 26 years to deserving youth from the Pennsylvania area; and

Whereas, Hand-In-Hand, Inc. is honoring several outstanding community leaders which include: Sister Elizabeth Ann Herbert, Principal of St. Agnes Grade School in Oakland; Marva Harris, Senior Vice President and Manager of Community Development of PNC Bank Corporation; Esther L. Bush, President and Chief Executive Officer of the Urban League of Pittsburgh; Rev. J.P. Black, Minister of the Year and Pastor of the Church of Divine Love Baptist; and Elbert S. Hatley, Executive Director of the Hill District.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh recognizes and congratulates Hand-in-Hand, Inc., for their 26 years of dedicated service to the community and their concern to help educate our youth.

MR. UDIN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

That concludes our Read and Adopted.

Moving to Presentation of Papers.

MS. MCDONALD PRESENTED:

No. 1857 A Resolution amending Resolution 134, effective March 8th, 1994, as amended, entitled Providing for the Filing of a community Development Statement by the City of Pittsburgh with the US Department of HUD for a Grant in Connection with the 1994 Community Development Block Grant Program, by reprogramming funds in the Department of Engineering and Construction.

Also,

No. 1858 A Resolution amending Bill No. 1375 of December 4th, 1996, as amended, entitled Providing for the Filing of a Community Development Statement by the City of Pittsburgh with the US Department of HUD for a Grant in Connection with the 1996 CDBG Program, so as to delete two programs in the Department of Engineering and Construction and increase a line item in Engineering, called Walls, Steps, and Fence Program at \$125,000.

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED:

No. 1859 A Resolution of the City Council in the City of Pittsburgh declaring its official intent to issue in the future tax-exempt obligations, a portion of the proceeds for which shall be used by the City of Pittsburgh to reimburse itself for certain capital expenditures made prior to the issuance of such obligations, identifying said capital expenditures, and the funds to be used for such payment and providing for certain other matters in connection therewith.

MR. UDIN moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. FERLO seconded the motion.

Which motion prevailed.

The Chair:

Moving to Unfinished Business.

UNFINISHED BUSINESS

I would ask Councilman Ricciardi -- I'd ask the Clerk's office to please pass out that sheet I gave you.

Mr. Ricciardi:

Yes. Thank you.

Mr. President and colleagues adhering to Roberts Rules of Order and our own Council Rules, at this time I'd like to make a Motion to reconsider Bill No. 1325 as being a member of Pittsburgh City Council that voted in the affirmative.

Mr. Cusick:

I'd second that motion out of consideration for my colleague from the South Side.

The Chair:

Discussion?

Mr. Ricciardi:

I have no discussion.

I just hope that the Bill is reconsidered and then we could discuss the Bill if members wish to.

Thank you.

The Chair:

I second to second.

I don't have any discussion, but given all the political and policy intrigue of this ALCOSAN vote and the three and-a-half years that I have been Council President, I have never not signed a Bill in the final form until last week, but I didn't think it was appropriate and I have asked that it be reconsidered and I asked the Clerk to read the Bill for reconsideration.

Is there any objection to reconsideration? It's been moved and seconded.

Any other discussion, just on the reconsideration? All in favor?

Which motion prevailed.

The Chair:

On the Bill, itself, we're going to have the reading of the Rule. In other words, there is no objection for reconsideration?

Mr. Hertzberg:

Yeah, Mr. President, there is.

The Chair:

Okay. Discussion on the reconsideration.

Mr. Hertzberg:

I'm just unfamiliar with the protocol and the procedure that's going on here and I'm wondering if someone can explain what's going on? I was under the assumption -- whether correct or erroneous -- that Tuesday's votes are final votes and that's the end of the --

Mr. Cusick:

Not until the week after.

The Chair:

There is a little known clause in the "Robert's Rules of Order" and also a clause in our own Home Rule Charter and the clause of Council Rules, which makes reference to the fact that City Council runs by "Robert's Rules of Order".

There is precedent on at least two occasions which I can recall. Those who

have voted in the affirmative, in this case, Mr. Ricciardi is making the motion, Mr. Cusick who voted in the affirmative to second it and I was prepared to second it. Basically, it allows a reconsideration if the vote is taken in the next preceding meeting following the final vote but before one moves on to New Business.

Mr. Ricciardi:

So the particulars --

The Chair:

It's been done in at least two significant cases, one of which was by official -- whatever you want to call it -- "Robert's Rules of Order", advice from the Solicitor, that was an infamous vote on the Phipps vote, which I can recall if you really want to know.

Mr. Ricciardi:

So the particulars being obviously, Mr. Hertzberg, that this being the next legislative, the session -- the next legislative session after the vote, and Gene Ricciardi voting in the affirmative and the Bill not being signed by President Ferlo?

Mr. Hertzberg:

What if Mr. -- President Ferlo had signed it?

The Chair:

Technically, it can still be undone, but given the discussion and all the intrigue that's going on --

Mr. Ricciardi:

And besides the precedent in the past, you know, I said we could discuss that, but I've had every opportunity to review "Robert's Rules of Order" in the past and even today with two of my colleagues before I made the motion.

Mr. Hertzberg:

I had -- somewhere deep back, I remember this has occurred and it's starting to ring a bell.

The Chair:

This is discussion on just a reconsideration issue, not the Bill, itself.

Mr. Udin:

Yes, I don't -- I beg your pardon?

The Chair:

Just procedurally on the reconsideration.

Mr. Udin:

Right. I don't wish to open the full argument and discussion on the Bill or the reconsideration, but I think the public at least deserves some brief explanation as to why it's being reconsidered.

The Chair:

Any colleagues wish to speak?

Mr. Cusick:

I only seconded the motion, Mr. President, because of -- I think that some of the, of the tactics that may have been used --

The Chair:

We're discussing just the issue of reconsideration. Then we can discuss the Bill.

Mr. Cusick:

I think Mr. Ricciardi has a right to reconsider at this point. I believe that after the final vote, at the next legislative meeting following, the very next legislative meeting, you're allowed to --

The Chair:

Yes. There is to dispute of the procedure. Mr. Udin is asking a substantive issue, which at this point, nobody's wanting to address. I'd suggest we just approve the reconsideration. Then if colleagues would like to discuss the substantive issue --

Mr. Ricciardi:

As a courtesy to Mr. Udin, I would like to discuss the reconsideration very briefly and that is that we have before us a very important issue and decisions that need to be made here in the City of Pittsburgh and in Allegheny County regarding the future expansion and regarding the future work at ALCOSAN, all the way from odor control to expanding the facility so new municipalities and the municipalities that are already into the system that are properly served.

It's a pity and a shame, and as I stated in the past, that we are going and moving ahead with the house divided. I don't believe anyone -- everyone is on the same page on this particular issue.

I think the County Commissioners, Mayor Tom Murphy, this body, the Board

of Directors of ALCOSAN, including my rate payers and tax payers, do not fully comprehend or understand this issue before us or believe that they're going to make some sort of political hay.

Because of that, I believe in order to move ahead, hopefully together, yes, sir, in the past we've moved on different issues separated; but since it's an authority, one that we do not have direct control over, I believe that was very important to move ahead. I believe Mayor Tom Murphy has made some points that he generally believes in. I believe many Council members on both of the issues, they've made some very valid points, but a house divided on this issue will not succeed in helping ALCOSAN either move into the future or helping the rate payers get the best service.

So I'm asking for a reconsideration and then, to be perfectly frank with everyone, I'm going to ask to table this Bill and, hopefully, in the weeks and months, we could all meet and get on the same page.

The Chair:

Well, just procedurally, the reconsideration if we approve is a reconsideration. That allows those who have voted in the affirmative to switch their vote. So it's not going to be a table. It's either going to be a voting "yes" or voting "no".

Mr. Cusick:

I don't know how many times we have to go through this and I think it's ridiculous.

The Chair:

Can I ask a point of personal or prospective, can we at least decide the reconsideration and then for those colleagues that want to discuss the actual issue -- is there any opposition to the reconsideration?

Mr. Cusick:

No.

The Chair:

Okay. Roll call vote on the reconsideration, which is just procedurally allowing those colleagues.

Mr. Cusick:

Will we be able to --

The Chair:

Excuse me.

Mr. Cusick:

-- discuss the reconsideration after the vote, Mr. President?

The Chair:

Yes.

But I'm asking that we allow those colleagues on the vote for reconsideration who voted in the affirmative to at this time switch or change or modify their vote, which involves several colleagues, including the Chair.

Is there any discussion on the procedure on that issue?

Ms. McDonald:

Yes, there is.

Personally, I will go ahead and go along with the reconsideration out of respect that there may -- there needs to be more discussion. I'm sick of discussing it. I think we've discussed it to death. We have beaten it. It's dead; and we keep resurrecting this thing and we, then we beat it again. And I'd like to get on with other business. This ALCOSAN thing has become a political nightmare for a lot -- for the listening audience. I think they're sick of hearing about it, too.

But in the future, when we put this back on the table, I guarantee you, I will abstain or change my vote, for whatever reason, because I think there is a lot of dog-gone discussion going on outside of this Council chamber, outside of the public -- the public's interest. And no one has approached me. I don't know what the heck is going on here, but I can guarantee you, you're not going to get a "yes", you may not get a "no", I don't know what you're going to get until there is more elucidation on really what is going on here.

I don't like to play politics with the public; and that's what I think is going on. So I will go ahead and reconsider; but I guarantee you, if there is another vote, you may get an abstention, you may get a very obstinate Council member voting.

The Chair:

Thank you, colleagues. That's exactly how I feel.

Roll Call vote on the reconsideration.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Cusick
Ms. McDonald	Mr. O'Connor
Mr. Onorato	Mr. Ricciardi
Mr. Udin	Mr. Ferlo
	(Pres't)

(Mr. Hertzberg voted no)

The Chair:

Now, on the reconsideration, Noes voting in the affirmative and/or others who wish to change their vote prior to the casting of the vote, Mr. Cusick on the issue, itself.

Mr. Cusick:

I don't know how many times we have to beat the same issue, as Councilwoman McDonald just said. I think this Body has done its job and it's due diligence when it comes to discussing the matter and finding out the information that was asked of it.

This -- I, as a Board member, have taken the position that this is the right -- the right thing for the City, the County, the region. I have worked on this particular item for the last three-and-a-half years. It's -- the -- why the administration or the Mayor has vetoed this is beyond me.

The Chair:

The Mayor has not -- we have not sent anything over.

Mr. Cusick:

I thought we had a veto. So he has said he would veto; and if that's the case, I don't understand. The Mayor is for economic development, which this helps economic development, increasing the capacity of ALCOSAN, only helps economic development here in the City of Pittsburgh. It's for odor control. This directly deals with odor control. I don't see what the problem is there.

He's for taking care of the flood problem down along the Saw Mill Run corridor, where we, in prior months, had taken money out of there, out of what should have went towards odor control and put into the Saw Mill Run corridor. We went out on \$180 million bond issue. Procedurally, whichever way the Board went, that had nothing to do with this Council. And now you turn on your radio, it sounds like this Council is raising rates in ALCOSAN. That is unfair. That is why I voted for the reconsideration today. I don't think my colleagues should have to go through that.

It is very upsetting to know that, that the Mayor, that it's for all the different things that we have to pay for is against going out on a bond issue and raising the rates and increasing the rates off ALCOSAN. It is beyond me. How they think we're going to get these things? We went to the Feds. We went to the state, we went -- everywhere we possibly could and we were turned down in trying to find other dollars.

Now, either you want odor control, either you want to increase the capacity of our sewage system for not only Pittsburgh,

for the entire region, or you don't. But someone has to pay for it.

It is the right thing for this region, especially, when we're to -- basically, at one point, one day you're hearing about this total Renaissance of Pittsburgh. The next, you're not willing to pay for this total Renaissance of Pittsburgh. It's ludicrous. I think this Council should finally send a message to the Mayor and that is that this is the right project to do, we should vote unanimously for ALCOSAN for this project. And we had nothing, this Body -- I had something to do with the bond issue. Procedurally, whichever way that the Board of ALCOSAN had proceeded with these project is the Board's business.

All ALCOSAN ever asked this Council to do is to agree with what we, we hope the 537 Plan would accomplish. Why have we been sitting here for months, it baffles me, it baffles me. You've allowed yourself, as Councilman Udin had stated last week, have allowed ourselves to become this political person in the middle.

It's unfair. It's unjust. And that's why I voted for the reconsideration. I'll be voting for this again. End this today. Let's vote 9:0 that this is the right thing for Pittsburgh. If you're for economic development, you're for this. If you're for odor control in the North Side and all the North Side communities and some of the suburbs, suburb communities, you're for this. If you're for it for the general, all around expansion of the plant, which is environmentally sound for the rivers and the riverfronts of the City that we just congratulated a number of people for, then you're for this. We got to pay for it. Unfortunately, nothing's for free in this world; but, please, don't allow this to become any more of a political football

than it's already had. Pass it back across the hall and leave it there.

The Chair:

Any other discussion?

Mr. O'Connor:

Yeah, I think this is a typical Mayor's move. He did the same thing with the water rates. He raised them actually one year twice, and he raised them 35 percent, and he stopped the last day. I threatened to take him to court, if he didn't lower them. Then all of a sudden, because it's an election year, he stopped it.

I'm concerned about his flip-flopping because I remember in October when he and his paid consultants and some of the Board members or the officials of ALCOSAN were coming over and lobbying everybody for this. And I had been questioned, because I questioned the cost, had been lobbied from their office, saying are you going to play politics on this?

Then all of a sudden there is 100 percent flip-flop to delay it. The Mayor wants everything, but he doesn't want to show how he pays for it.

And on the -- in the January/February post-agendas we had, when we asked, I think Councilman Onorato asked, well, why aren't we one of the only cities not getting federally-funded for these issues? His Deputy Mayor said, we didn't even apply, we dropped the ball. Now he wants Council to sit and take the blame for an increase and I'm not going to go for it, either. He can't flip-flop and blame Council for all these things. And I

hope the people out there start to pay attention, who's paying for all these things that he wants to build. Believe me, you're paying for it, taxpayers.

The Chair:

Any other discussion?

I'm switching my vote today. If the Mayor wants to play utility roulette with ALCOSAN, I'll give him the benefit of the doubt. If he wants to do that, fine. We'll send it back. I think there are six issues on his shoulders. He says he has broad shoulders, and he wants to deal with the issues, I'll give him the benefit of the doubt. I'm disappointed that either he or his representatives are not here, at the Standing Committee Meeting so they could have articulated those issues to us at the time prior to a final vote. I'm sending this back to the Mayor. It's on his shoulders. It's at his doorstep. He has to deal with the issue of odor control, in Saw Mill Run, in particular. This City stands to benefit from those measures. I'm very concerned that the ALCOSAN Board and the majority is not necessarily voting with His Honor, the Mayor, will attempt to sever those capital projects as a way of lowering the overall capital indebtedness. I think that would be a very bad thing for our City. He's saying give him the benefit of the doubt, he'll deal with the odor control, he'll deal with the Saw Mill Run. He says he will help the ALCOSAN Board deal with the issue of soliciting federal and state dollars. He says he wants to lower the potential rate impact of any utility rate increase at ALCOSAN by re-doing what the capital plan will be, what engineering firms are engaged, how they're engaged, what the capital project is going to look like. He thinks he can keep this out of

federal courts and any DER sanctions that I presume that he wants to continue to work towards bringing in other communities and municipalities into the ALCOSAN system over the next decade as a way of basically spreading out the potential rate debt, not just the 80-plus communities, but a greater number of rate payers. He wants it back in his court. I'm going to give him the benefit of the doubt and put it back in his court.

Any other discussion?

Mr. Hertzberg:

Thank you, Mr. President, I --

The Chair:

And the other point is: Don't come back now and ask for Jim Ferlo's vote.

Mr. Hertzberg:

And I'm not going to -- I don't -- I'm not going to try to figure out what the games are here. I've never viewed that as my job. I'm going to call them as I see them. Nothing's changed for me on this legislation.

Saw Mill Run's important to Council District No. 2, odor control is important to Council District No. 2, an increase in the capacity of ALCOSAN is important to Council District No. 2, to the City of Pittsburgh, to the entire region.

Being sanctioned by courts costs taxpayers more money. I'm not going to be irresponsible. Someone else can be irresponsible. I know I'm doing the right thing.

Taking more time on this is going to cost the taxpayers more money. We all know what happens to the costs of these projects when they're prolonged. I'm not going to vote for that. All you got to do is look around this country and around this region at the people that have played political games with these kind of issues. The people that end up paying at the end of it are the taxpayers. The time to get this through is now. The work has to be done.

There is not going to be any pot of gold at the end of rainbow. I'm not changing my vote.

The Chair:

Any other discussion?

Mr. Cusick:

Yes, briefly.

I couldn't have said it better, Councilman Hertzberg. I beg you to pass this finally. I think it's the right thing to do.

You know something, I think you hit it on the nose, Alan, when you said, you know, who's going to pay for it at the end? The tax -- the rate payers is going to pay. Because if the Feds step in and they take over, which it may cost us 480 million, it may cost us a billion at some point. You can laugh, Mr. Onorato, but it's happened out in Minnesota. It's happened. It's happened. We have -- we have different cities in Minneapolis or Minnesota, wherever it may be, the same size as this facility as they have. The Feds have stepped in and the costs were double the costs. This is not a joke. This is about doing the right thing for the -- at the right

time, at the right cost; and, unfortunately, people are allowing politics to enter into this. I've seen Flight 37. You've seen it Mr. Ferlo. I think a number of you have had an opportunity to read it. Has anyone said it's wrong? Can anyone say the 537 Plan is wrong in this Council or across that hall?

Then the only thing we have to agree it's right. No one's asking for anything more than that. For this Council and for that Mayor to agree that it's the right plan, plain and simple, you're out of the picture after that.

Well, you can't even get that out of this Body. Yet we want a number of things, we want a number of things to come back into our community.

When odor control becomes a problem, Council wants ALCOSAN to address the problem. Saw Mill Run Creek, ALCOSAN -- Council wants ALCOSAN to take the -- to bear the majority of the costs. We continue to do those things for the City of Pittsburgh, yet we can't get the cooperation out of the City on a simple agreement of a plan.

No one's asking nothing other than that you agree that these several things need to happen. That we need to come in compliance with the Federal government, that we need, we need to expand the capacity of ALCOSAN, and that odor control become a necessity as a part of this plan. Plain and simple.

And this Body can't even agree on that, because he's willing to sit over there and say that this is wrong, because somebody didn't get some work or somebody else didn't get the work. That's

crazy; and I won't be any part of it, either. I'll build it today. I'm voting aye and I hope the rest of you stand up and send it back to him and vote aye.

The Chair:

Thank you, Councilman.

Roll call vote.

We're voting on Bill 1325 on the official sewage plant accepting the ALCOSAN Plant. If you're in favor of the Bill, vote aye; if you're opposed, vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cusick Mr. Hertzberg
Mr. Udin

(Mr. Cohen, Mr. O'Connor, Mr. Onorato, Mr. Ricciardi voted no, and Ms. McDonald and Mr. Ferlo, Pres't abstained)

The Chair:

The Bill is tabled.

Moving on to the agenda, Reports of the Committees. Any other matter under -- excuse me, let's just clear the vote again. What was the vote? I'm sorry.

The Deputy Clerk:

3:4:2.

The Chair:

It takes five to pass. In effect, the Bill is tabled; is that not correct?

Mr. O'Connor:

Can you explain what happens here?

The Chair:

Excuse me, let me just clarify with the Clerk.

Is somebody going to correct the Chair? Am I correct? Is the Chair correct?

Mr. Onorato:

I couldn't hear the conversation. What's the vote?

The Clerk:

You're correct, sir, it takes five, either negative or --

The Chair:

So I didn't hear you say the chair is correct.

Deputy Clerk:

The chair is correct, the Bill is tabled.

The Chair:

Okay. Any other discussion?

Moving to --

Mr. O'Connor:

Just informational then, then it can come back after the Mayor's race? Is that what you're saying?

The Chair:

I don't know when it's coming back. It's up to Mr. Onorato and Mr. Murphy.

Mr. Onorato:

It's not up to me.

UNFINISHED BUSINESS

The Chair:

Moving to any other matter under Unfinished Business or Reports of Special Committee.

Okay. Well, we can pontificate at the end of meeting on the motions and resolutions.

Mr. Onorato:

Well, you know, Mr. Ferlo, since you want to personalize it, on this same issue of ALCOSAN, it's unfinished business. You're arguing with the Mayor, it's between you and him.

I'm voting no, and I'll continue to vote no regardless of what the Mayor sends over. If he sends it a day after the election, I'm going to tell you right now, I'm voting no, if it has a 50 percent increase attached to it. I don't know what your comment just meant, but it has nothing to do with my vote. The Mayor can send anything he wants. If it includes an increase, no, no, no, because I'm not being blackmailed into odor control tied to a ridiculous expansion plan. I can tell you

that right now. That's with you or the Mayor sending it over.

The Chair:

Any other discussion?

Any other matter on Unfinished Business or Reports of Special Committees?

Hearing none, moving to Reports of Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1860:

Report of Committee on Finance and Budget, for April 16th, 1997, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation,

Bill No. 1801:

A resolution authorizing a issuance of a warrant in favor of Richard S. Caliguiri Amyloidosis Foundation in the amount of \$9,571.

Which was read.

Also

Bill 1807:

A Resolution providing for an agreement with City Source Associates for the use and lot clean-up operations in the

implementation of the Side Yard Program at a cost not to exceed \$50,000.

Which was read.

Also,

Bill No. 1808:

Resolution providing for the issuance of a warrant in favor of American Legal Publishing Corporation in the amount of \$2,019.

Which was read.

The Chair:

You have heard the reading and title of the Bills. Is there any discussion?

Hearing none, the Bills are now ready for final action. All in favor of the passage of the Bills, vote aye when your names are called, if you are opposed, vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Cusick
Mr. Hertzberg	Ms. McDonald
Mr. O'Connor	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. Ferlo
	(Pres't)

AYES Nine NOES None

The Bills having received the legally required number of votes has been approved finally.

MR. HERTZBERG PRESENTED:

Bill No. 1861:

Report of the Committee on Lands, Buildings and Procurement, for April 16th, 1997, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1802:

A resolution providing for a contract or use of existing contracts for various repairs, renovations, and purchase of materials and supplies for City facilities at a cost not to exceed \$50,000.

Which was read.

The Chair:

You've heard the reading and title of the Bills, is there any discussion?

Hearing none, the Bill is now ready for final passage. All in favor of the passage of the Bill, vote aye when your name is called, if opposed, vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Cusick
Mr. Hertzberg	Ms. McDonald
Mr. O'Connor	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. Ferlo
	(Pres't)

AYES **Nine** **NOES** **None**

The Bill having received the legally required number of votes has been approved finally.

MR. COHEN PRESENTED:

Bill No. 1862:

Report of the Committee on Public Safety Services for April 16th, 1997, transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1626:

An Ordinance amending the Pittsburgh Code, Title 6, Conduct, Article 1, Regulated Rights and Actions, Chapter 611, Alarms, Section 61106, Permits Fees by adding subsection (f) to provide for an exemption to certain elderly owner/occupants.

Which was read.

The Chair:

You've heard the reading and title of the Bills. Is there any discussion?

Hearing none, the

Mr. Hertzberg:

My comments brought forward from Wednesday's meeting, please.

The Chair:

Roll Call vote on the Bill.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Cusick
Mr. Hertzberg	Ms. McDonald
Mr. O'Connor	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. Ferlo
	(Pres't)

AYES **Nine** **NOES** **None**

The Bill having received the legally required number of votes has been approved finally.

MR. O'CONNOR PRESENTED:

Bill No. 1863:

Report of the Committee on Engineering and Construction for April 16th, 1997, transmitting one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation,

Bill No. 1805:

A resolution providing for a contract for repairs and renovations to the City County Building and for the purchase of materials and supplies, at a cost not to exceed \$150,000.

Which was read.

The Chair:

You've heard the reading and title of the Bills. Is there any discussion?

Hearing none, the Bill is now ready for final action. All in favor of the passage of the Bill, vote aye, when your names are called, if you're opposed vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Cusick
Mr. Hertzberg	Ms. McDonald
Mr. O'Connor	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. Ferlo
	(Pres't)

AYES **Nine** **NOES** **None**

The Bill having received the legally required number of votes has been approved finally.

That concludes our Reports of Committees under Motions and Resolutions.

Is there any matter to be brought before the Body?

MOTIONS AND RESOLUTIONS

Mr. Cohen:

Thank you, Mr. President.

Members of Council, one of the occupational hazards of being on City Council is that often we get sued. I think most, if not all of us, have been sued at one time or another; and, Mr. President, at times, you have even filed suits because of what you believe in. But I wanted to talk about a lawsuit that has been filed against

me and some other folks with respect to the Pi Lambda Phi Fraternity in north Oakland.

It was filed against myself, Director Eloise Hirsch of City Planning, and Chancellor Mark Nordenburg, and a number of officials at the University of Pittsburgh.

The Chair:

Well, at least you're in good company.

Mr. Hertzberg:

Pi Lambda Fraternity on North Dithridge Street in north Oakland in the past was an honored and respected fraternity. In fact, my father-in-law is an alumnist of Pi Lambda; but for the last many years, it has shown a different face and has created a disturbance in the neighborhood, loud parties, litter, even public urination. I have received many, many complaints over the years about this fraternity. But that was small potatoes compared to what happened a year ago last April.

It was April 30th of last year when eight people were arrested for dealing heroin and other drugs at that fraternity house, six of them lived at the fraternity, four of them were actually fraternity members, and at least one of them has already been convicted. That was the last straw for me, for the Bellefield Area Citizens Association, and I might add for the University of Pittsburgh.

The University of Pittsburgh temporarily took away their recognized status as a student organization. I want to commend Chancellor Nordenburg and the

rest of the university for that. I lobbied, absolutely lobbied, the Planning Department and also the Bureau of Building Inspection to withdraw this fraternity's special status that we, as a City, give to them under the Zoning Code, and I want to commend the Bureau of Building Inspection for that.

The goal, of course, is to try to move this fraternity off of North Dithridge Street and back onto the University of Pittsburgh campus where they can have more control over it.

Well, now this fraternity has filed this lawsuit. They found a lawyer and this lawsuit for us acting in the best interest of north Oakland, they were able to come up with some 100 pages or so and even came up with this theory, that they have a First Amendment right.

Some of the other lawyers on Council may help me with this, they actually found or believe that there is a First Amendment right to rush fraternities. I don't recall that from law school or practicing law, that First Amendment right, but they're that's what they're claiming.

Now, their intent is either to intimidate me intimidate the Bellefield Area Citizens' Association, the north Oakland neighborhood, or to delay the due process that is currently taking place with respect to this fraternity; but either way, it is not going to work. I won't be intimidated. I know that the Bellefield Area Citizen's Association will not be intimidated, the neighborhood of north Oakland will not, and I expect and trust that the University of Pittsburgh will not be intimidated either.

Every one of us on Council, of course, was elected to represent our neighborhoods and to defend them against anything that undermines their quality of life. This fraternity undermines the quality of life on North Dithridge and in the north Oakland area. No lawsuit is going to stop us from trying to protect that quality of life.

So I did want to bring it to Council's attention that this lawsuit has been filed. We intend to defend it vigorously and, hopefully, get that fraternity off of north Dithridge.

Thank you, Mr. President.

The Chair:

I would think being sued by Animal House is a Councilmatic badge of courage.

Mr. Hertzberg:

A badge of honor.

The Chair:

A badge of honor.

Councilman Udin, obviously, you're going to make the Solicitor aware of this suit?

Mr. Cohen:

Actually, Mr. George Specter, the Assistant City Solicitor, and I met this morning on it; and he's prepared to defend.

Mr. Udin:

Yes. I'm in support of the work that Councilman Cohen has been doing in this area as well as the work of the Bellefield Area Citizen's Association.

However, I did hear a reference, perhaps the Councilman can clear it up for me, by one of the Bellefield Area Organization's spokespersons who suggested something to the effect that if they wanted to use drugs, they should get off of the campus and go live in the Hill.

I was wondering whether or not that comment was referring to some geographic/topographical area of Oakland or referring to the Hill District.

Being a representative of the Hill District and its proud tradition, if it meant the Hill District, I would be quite disappointed; but if the Councilman could clear that up, I'd appreciate it.

Mr. Cohen:

Councilman Udin, I obviously did not say that. I did not hear that being said, but I trust that what you heard was accurate; and, if so, any statement of that type was inappropriate and out of line and I certainly will be talking to the Bellefield Area Citizen's Association and the residents on that street. I've never heard a statement like that before from them.

If such a statement was made, it was clearly inappropriate. This is about drug dealing out of a fraternity on North Dithridge Street and that's all it's about; and I know that you and I both have been and the rest of Council have been fighting against illegal drug trafficking. Any attempt to locate that in one neighborhood is totally inappropriate.

Mr. Udin:

Thank you.

The Chair:

Thank you, Councilman.

Any other discussion?

Would you please keep Council apprised of the lawsuit?

Mr. Hertzberg:

Thank you.

The Chair:

Any other matter to be brought before the Body under Motions and Resolutions?

If not, a motion to approve the minutes and a motion to adjourn.

Moved and seconded.

MR. UDIN moved to adjourn the meeting.

MR. FERLO seconded the motion.

The Chair:

This legislative session stands adjourned.

Thank you.

ATTEST
LINDA M.
JOHNSON-WASLER
CITY CLERK

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MUNICIPAL RECORD

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JOSEPH CUSICK.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO.....Deputy
Clerk

Pittsburgh, PA
Tuesday, April 29, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
Ms. McDonald	Mr. Hertzberg
Mr. Ferlo, (Pres't.)	

The Chair:

Mr. Ferlo has a ribbon cutting for a new McCandless tot lot and will be with us directly following the ceremony. We have with us today a student by the name of Adam Wiktorzewski, and Adam is 11 years old. He's a six grader, he attends Immaculate Conception School in Bloomfield, in Councilman Cohen's district. He is also here with his parents, Bob and Karen Brown. Would you like to come up?

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible with Liberty and justice for all.

PRESENTATIONS

MR. O'CONNOR PRESENTS:

Would the Allderdice National Honor Society please come up? Normally kids ask me to go last and so they can stay out of school, but these guys have to get back.

All here? Actually, I'm very pleased and honored to have my alma mater here from Allderdice. And we had a very nice event Thursday evening honoring everyone. There was a big turnout at Allderdice, and we're very proud of our Pittsburgh schools. And Allderdice has had many, many awards this year and this certainly is -- you guys are the credit and the leadership there.

No. 1864 WHEREAS, the National Honor Society was founded in 1921 by the National Association of Secondary School Principals to create an organization whose objectives are to foster enthusiasm for scholarships, to stimulate the desire to render service to promote worthy leadership and to encourage the development of character in the students and secondary schools of the nation.

WHEREAS, there are now over 20,000 chartered chapters including Zeta

Chapter at Taylor Allderdice High School in Squirrel Hill.

WHEREAS, on Thursday, April 24, the Taylor Allderdice National Honor Society held their annual induction ceremony honoring this year's inductees who have exhibited the Honor Society's standard of character, leadership, scholarship and service.

WHEREAS, these students should be very proud to say they are now members of one of the most widely known and well-respected academic organizations in the country.

NOW, THEREFORE, IT BE RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Taylor Allderdice National Honor Society and the newest inductees for their accomplishments and for exemplary principles outlined by the finding fathers.

MR. COHEN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Congratulations. And there's a lot they do besides just grades. They're very, very active in the community from all sorts of community activities, and I'd like them to explain it, but I don't know who wants to speak first. Wait until you hear this guy. When are you running for politics?

Mr. Feng:

That's to be disclosed later.

Mr. O'Connor:

This is a future senator if I ever saw one. Does a great job. U.S. Senator, right?

Mr. Feng:

Honorable Members of the Council, on behalf of the Pittsburgh Zeta Chapter of the National Honor Society from Taylor Allderdice High School, thank you for this recognition. I would also be remiss to not thank at this time our teacher sponsors who are with us, Ms. Andrea Martine and Mrs. Shirley Alexander for their long-standing support and enthusiasm and also our principal Dr. F. Robert McMurray also with us for his commitment and dedication to improving our school.

We at Allderdice are very proud to have been able to serve and volunteer our time for the Pittsburgh community, whether that has been for raising funds for the American Heart Association or having bake sales for the Red Cross or collecting canned food during the Thanksgiving season for the Central Food Bank and others including marching for students' interests. We have been very proud that we can really exemplify the spirit of altruism in this city.

Also, the excitement that we experience in receiving this recognition is made all the more so because Mrs. Alexander will be leaving us after this year and we will always remember her in association with this honor.

So thank you again for supporting volunteerisms in Pittsburgh. Thank you for this award.

Mr. O'Connor:

This guy here is great, and he'll debate for me tonight.

Dr. McMurray:

Thank you, Councilman O'Connor. Here before you see a sample of many of the fine graduates with the Pittsburgh Public Schools will be putting out this June. Taylor Allderdice is extremely proud of these young people and others, but also be aware that public education is certainly alive and well in Pittsburgh.

Each and every one of our high schools has its own group of honor students, and they are about everything that is fine and noble about young people today. Everyday in every classroom in every school, we strive to provide equity of opportunity, equity of resources and urge each and every young person to take advantage of that opportunity to end up achieving recognition in the National Honor Society. But along with honor, there is the whole concept of honorable, and we also try to nurture these instincts in our young people that they will go forth and take this honor and use it to become the honorable citizens we so greatly need. So thank you very much for this award today, Councilman O'Connor.

Mr. O'Connor:

Thank you very much, students from Allderdice, you certainly make all of us proud.

Kevin, Kevin Joyce and your family, please come up. Come on, bring everybody with you. Phil Bucci and Joe Talamo.

Again, this is very closely familiar to me, we're honoring Kevin as a restaurateur of the year. He's done quite a job in Pittsburgh, and I guess you're going to buy lunch after this for the Council members.

MR. O'CONNOR PRESENTS:

No. 1865 WHEREAS, Kevin Joyce will be honored on Sunday, May 4th, 1997 by the International Geneva Association Pittsburgh branch at their third annual restaurateur of the year dinner.

WHEREAS, Kevin Joyce started out at Chester Valley Country Club and has worked his way through the restaurant business through hard work and persistence in positions such as serving assistant, bus captain and waiter.

WHEREAS, Kevin was approached by franchise management to open Tequila Junction and was chosen to serve as general manager of the Pittsburgh based operation until 1982 when Mark and Larry Levy asked Kevin to open Hilary's in Oxford Centre.

WHEREAS, Kevin is now the owner of Kevin Joyce Restaurants, Inc., consisting of the Carlton, Edies Kitchen and Edies Market, and is also willing to help others by offering advice and conveying his experience in the restaurant industry.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City

of Pittsburgh does hereby commend Kevin Joyce for his long and prosperous career and his dedication to the restaurant community and to the community of Pittsburgh.

Be it further resolved that the Council of the City of Pittsburgh does hereby declare Sunday, May 4th, 1997 as Kevin Joyce Day in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Kevin is very, very active in many, many community events in the city. And he certainly, I think, as an example, I started as a part-time worker in a restaurant as a counter helper and worked my way up to vice-president, and Kevin's done the same, and I think the restaurant career really offers opportunity for a lot of young people, a lot of people have that stereotype that it's only a minimum wage job, well, you can really work your way up to assistant manager, manager, district managers, and there's very good salaries, company cars, the only trouble is, you have to work 24 hours a day. Kevin congratulations and thanks for coming.

Mr. Joyce:

Thanks very much. I'd like to thank City Council, I'd like to thank the International Geneva Association, and specifically Phillip Bucci and Joseph Talamo, but most of all I'd like to thank

the 105 employees that I have at Edies Kitchen & Market and the Carlton Restaurant because it's really the team effort and the hard work that they put in that allows us to receive the recognition that we've received over the last year and a half. And as the Councilman was saying, I think this industry is one that you can start at the bottom and really work your way up. And I've been very fortunate to work every position in this industry and eventually be able to buy my former partners out and now have my own company. I'm very proud to be in this industry and I'm very proud to be working in this industry in the city that I love. So thanks very much.

Mr. O'Connor:

You know who you're replacing? Last year's awardee was Joe Constanzo, a good friend of mine. We'll try to be there.

Mr. Onorato:

At this time, everyone here associated with Three Rivers Stadium Authority. I know Robin Turner is here and Rick Reidhoff is here, and anyone else please come forward.

And as they're walking forward, colleagues and anyone listening, this relates to the Pittsburgh/Allegheny County fair being held over on the property of Three Rivers Stadium, the parking lot side, the side facing the Carnegie Science Center.

MR. ONORATO AND ALL COUNCIL MEMBERS PRESENT:

No. 1866 WHEREAS, this year marks the second year that Three Rivers Stadium

will host the Hills Pittsburgh/Allegheny County Fair in the City of Pittsburgh.

WHEREAS the event will take place during the week of May 1st through May 11th, 1997.

WHEREAS, this event includes numerous fun-filled rides, exciting games, arts and crafts, animals on display, delicious food of all kind, and a wonderful learning experience for the children of all ages.

WHEREAS, the Hills Pittsburgh/Allegheny County Fair provides many educational experiences for adults and youth and encourages families to visit the spectacular event.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby welcomes the Hills Pittsburgh/Allegheny County fair to the city and wishes the event the best of luck.

FURTHER BE IT RESOLVED, that the Council declares the week of May 1st through May 11th as the Allegheny County Fair Week in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Onorato:

I do want to point out that Jimmy Sacco from the Stadium Authority offered to bring a bull over here to show off the

animal display and I vetoed that option, I didn't think it would be appropriate to have a bull running through Council at this point.

At this time, I'll turn it over. I don't know, who wants to be the spokesperson? Congratulations. Why don't you tell everybody about what's going on. Go out and have a good time.

Robin Turner:

You got it. Thanks to Council for recognizing the fair coming to town. As Councilman Onorato said, it will be here from the 1st through the 11th. We invite all of Pittsburgh to come down and enjoy it and thank the two gentlemen to our left who made it all possible. Thank you.

Mr. Onorato:

There's also one for the record here. Everyone in the audience here with Mercy Hospital, please come forward. And as they're walking forward, I have a list of names, Mr. Charles Bargo, Vice-president of Mercy Health System; Sister Patricia Mary Hesplin, Vice-president of mission services; and they are the co-chairs of the 150th Anniversary; is that correct? I'll read the proclamation and we'd like to hear from both of you.

MR. ONORATO PRESENTS:

No. 1867 WHEREAS, the health of individuals is a great importance in the City of Pittsburgh is fortunate to have an institution such as the Mercy Hospital to administer the well-being of our community residents.

WHEREAS, Mercy Hospital was established in 1847, and since that time, has attentively served the needs of our residents, helping to restore their health.

WHEREAS, the Mercy Hospital is committed to this mission and is lead by standards of fairness and compassion through the administration of the hospital, its programs and methods reflect its efforts to meet the health care needs of all.

WHEREAS, the Pittsburgh Mercy Health System employs over 2,800 dedicated individuals who help this health facility deliver the highest quality health care services.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the Mercy of Pittsburgh on its 150th anniversary and commends all the individuals who have contributed to the great success and inspiring tradition of the Mercy Hospital of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Onorato:

I want to congratulate you on 150 years, and I want to also congratulate you on a more recent smaller accomplishment and that is on East Ohio Street being a partner with the Christian Health Care Facility. You continue to show that you're willing to address the needs of the less fortunate in the community, and I want to

thank you for that because you really filled a void that existed over there in providing services to the working poor and I want to thank you. Say a few words.

Sister Hesplin:

On behalf of the Sisters of Mercy, and the president of Pittsburgh Mercy Health Systems, Sister JoAnn Marie Andeorio, we accept this award with honor. The Sisters of Mercy have been here in Pittsburgh for over 150 years. We started at Penn and Sixth Street in our convent, and we have been taking care of the poor and the sick. And we are very grateful for this award, and we especially at this time want to recognize our employees because they are the heart of Mercy, they bring to Mercy the touch of mercy and great hospitality at our hospital and we thank you.

The Chair:

We have two of them. As I stated earlier, Council President Ferlo is at a ribbon cutting for the new McCandless tot lot. I also have to announce Councilman Ricciardi had to leave for an opening at McKinley Senior Center, he's been waiting well over a year. I know he was excited.

Mr. Cohen:

Will the folks from Head Start please come up?

These two proclamations are sponsored actually by Councilman Ferlo, but in his absence, he asked me to read them and honor the people who are here this morning, which I'm happy to do. I should note, however, they have the length that Councilman Ferlo is known for.

These are rather long. Come on up, please.

Members of Council, members of the audience, we're here to honor the Head Start Program, and thank you all for being here. This resolution reads as follows:

MR. FERLO PRESENTS:

No. 1868 WHEREAS, Head Start is a comprehensive developmental pre-school program for children from ages three to five years designed primarily to serve children from low income families with free comprehensive, educational health, mental health disabilities and other social services for the child's family.

WHEREAS, research has shown that the early years of childhood are the most critical years in the poverty cycle, and that it is possible to break the cycle of poverty by strengthening the ability of children from low income families to cope with school and with the child's total environment.

WHEREAS, Head Start has a demonstrated track record of helping to break the cycle of poverty by providing children from low income families with comprehensive programs to meet their emotional, social, intellectual, health, nutritional and psychological needs.

WHEREAS, Head Start serves over 3,000 children annually throughout the Pittsburgh area and has served over 45,000 children in the Pittsburgh area since 1965.

WHEREAS, the four Head Start programs located in the City of Pittsburgh and Allegheny County have formed a

collaborative which is declared the week of May 4th, 1997 to be Head Start open house week and is encouraging Pittsburghers to visit the Head Start centers, meet the Head Start staff and register their children in Head Start.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh proclaims the week of May 4th to May 9th to be Head Start week in the City of Pittsburgh.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby encourages community representatives, agencies, groups and families to visit a Head Start center and participate in the Head Start open house activities during that week.

MR. ONORATO moved to adopt the resolution.

THE CHAIR seconded the motion.

Which motion prevailed.

Mr. Onorato:

Thank you, Members of Council, and thank you all for being here for a wonderful program. Who shall I give this proclamation to? This is Jim Yonner, I believe, the director of Head Start, congratulations, Jim. Come up and say a few words, please.

Mr. Yonner:

I'd like to thank the Council for the recognition and to help us to celebrate Head Start week. The celebration is really a celebration of what is possible when there is a government and community and

individual cooperative effort for the success of all children.

Head Start is now a thirty-year old effort that is recognized as a success in that cooperation. And we want to kind of bring the word and invite people to come and see and talk with us during this week. And I certainly appreciate you contributing and cooperating and recognizing us in that effort. Thank you.

Mr. Cohen:

Thank you. This is Pinky Reid who's the Director of Social Services, please come up and say a few words.

Pinky Reid:

I'd like to also extend my thanks to the Honorable Council members and also to the Clerk of Courts for your support in Head Start, and also extend an invitation to all the churches in the areas to come out also and participate, because we're launching Head Start week off with Head Start Sunday starting on April 4th, so -- I mean May 4th, so please make sure everybody comes out and thank you again for your support.

Demietre Penny Deitz:

Hi, my name as the Demietre Penny Deitz and I'm the chairperson of the Central Policy Council for Allegheny County Head Start program, also newly elected vice-president of the Pennsylvania Head Start Association. On behalf of all four of the policy councils from the Council at Three Rivers American Indian Center, also known as singing winds from the Pittsburgh Board of Education from pre-school development and AIU Head

Start known as Allegheny County, I would like to invite everyone to our blood and bone marrow drive which will be held at Station Square on May 5th, from 10 o'clock to 3 o'clock. Thank you.

Mr. Cohen:

Thank you. Thank you all.

Mr. O'Connor:

I have a question. First of all, I want to commend everybody for your great work. But seeing how many children you serve now, how many children would you say need served that you haven't been able to reach for whatever reason?

Demietre Penny Deitz:

Since I'm the statistical person, and just from our program alone, because we have four programs represented here today, the Board of Education's Head Start, Three Rivers Indian Council, we have our pre-school development, also Allegheny County is here.

We're funded individually for X number of children and collectively we serve approximately 3,000 but there are 3,000 more out there in our unserved communities that need services we need space, we need space desperately because if the government funds us, we still need locations, and that's where we need your cooperation to help us in getting buildings and space so that we can house our classrooms and provide services to the children. And what we omitted was the people that work in Head Start, all the people that do the groundwork, the nutritionist, the education folk, the

teachers, the parents who volunteer in the centers and those parents continue on through the school system and work in the community. So Head Start is a viable program and we really ask your support.

Mr. O'Connor:

So we're really calling on churches, schools anybody that has buildings facilities because you need the space --

Demietre Penny Deitz:

Definitely.

Mr. O'Connor:

-- because of the great work you're doing, you're only doing half of what you could do if we had all the resources.

Mr. Cohen:

In the city also?

Demietre Penny Deitz:

Yes, in the city also, definitely.

Mr. O'Connor:

Thanks for everything.

Demietre Penny Deitz:

Thank you.

Mr. Cohen:

Thank you. Would the folks from the World Federalists Association come up, please? That's got to be you, the last ones remaining.

Okay, we're ready. Members of Council, this is a resolution supporting ratification by the United States to the convention on the elimination of all forms of discrimination against women, and it goes as follows:

MR. FERLO PRESENTS:

No. 1869 WHEREAS, the United Nations Commission on the Status of Women formulated a document entitled, "The Convention on the Elimination of all Forms of Discrimination Against Women", CEDAW, and United Nations General Assembly adopted the convention and opened it for signature in December of 1979;

WHEREAS, the spirit of the convention is rooted in the goals of the United Nations to affirm faith and fundamental humans rights and the dignity and the worth of the human person and the equal rights of men and women;

WHEREAS, that convention provides a comprehensive framework for challenging the various forces that have created and sustained discrimination based upon sex;

WHEREAS, the convention sometimes called an international bill of rights for women obligates those countries which have ratified or acceded to it to take all appropriate measures to ensure the full development and advancement of women in all spheres, political, educational, employment, health care, economic, social, legal, marriage and family relations as well as to modify the social and cultural patterns of conduct of men and women to eliminate prejudice, customs and all other

practices based on the idea of inferiority of superiority of either sex;

WHEREAS, to date 141 countries representing over half the world's population have now ratified or acceded to the convention and yet the United States has not ratified or acceded to it;

WHEREAS, municipal governments have an appropriate and legitimate role in affirming the importance of international law in our own communities as universal norms and to serve as guides for public policy;

WHEREAS, other city, local and state governments have taken action to encourage the United States to ratify the convention;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Pittsburgh hereby supports United States ratification or accession to the convention.

BE IT FURTHER RESOLVED, by the Council the City of Pittsburgh that a copy of this resolution be sent to the President of the United States with a copy to the Secretary of State, Senators Arlen Specter and Rick Santorum urging the United States senate to ratify or accede to the convention.

THE CHAIR moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Cohen:

We have a number of people here who are involved in this and I'd like to read their names if I could Roseann Wrice, Brenda Kegal, Teresa Wilson, Carol Campbell, Regina Bertrum, Susan Polan, Soheeny Sinha, Lois Goldstein, Adelaide Smith, Mickey Ricay and Janice Oth, I hope I haven't mispronounced too many of those names or any of them. Adelaide Smith who's the current president, if you could come up here and explain why the United States would not ratify something that seemed so obvious that we should not discriminate against women, please.

Adelaide Smith:

Thank you. I wish I could explain why the United States has not ratified its convention. But we do want to thank City Council for approving this resolution. And the work on this revolution -- resolution, we hope it's, you know, it should not be a revolution, has been the result of many local organizations and representatives of these organizations are with us today and they include the World Federalists Association, I'm the president of Pennsylvania Peach Links, just one of the organizations, UNIFEM is another local organization, what am I forgetting? The United Nations which we should not have forgotten. The other thing I would like to tell the members of Council that many of us had traveled to Beijing two years ago to attend the U.N. Fourth World Conference on Women because we felt that the tenants of this particular convention were so critical and so important.

So we do want to thank City Council for the resolution. We have all worked locally to achieve global connections, and now we feel that the

tenants of the convention are critical to the concerns of women that we achieve full rights and enlistment in all areas of public life, political, economic, social and educational. And now with this resolution, we feel we can go forward and work on ratification of the convention, thank you.

Mr. Cohen:

Thank you all very much for coming down. We're going to take a picture in a moment, but I just want to thank you for your hard work and your globalist view to make sure that we can combat discrimination of all sorts and in all countries, and hopefully this one resolution from Pittsburgh will help do that. So thank you all for coming down.

The Chair:

We have one final one which will be read into the record from Councilman Onorato and all of Council members.

MR. ONORATO AND ALL MEMBERS OF COUNCIL PRESENT:

No. 1870 WHEREAS, Pittsburgh was the site of much of the early development and growth of the electrical industry. The Brotherhood of Electrical Workers Local #5 was formed and received its charter on February 16th, 1897; and

WHEREAS, in 1899, the national union held its 6th convention in Pittsburgh. It was at this convention that applications from Canada and Mexico were approved and the name of the Local was changed to the International Brotherhood of Electrical Workers Local #5; and

WHEREAS, through the years, I.B.E.W. Local Union #5 has been primarily an organization of wiremen working on residential, commercial, and industrial projects. In 1978, I.B.E.W. Local Union #1987 was amalgamated into I.B.E.W. Local Union #5. With this amalgamation, I.B.E.W. Local #5 now represents not only construction electricians, but workers in broadcasting, electrical manufacturing, telecommunications and cable television; and

WHEREAS, the local which had many strikes in its early years has enjoyed a long and harmonious relationship with many unionized construction firms. It's last major work stoppage was 1921-22; and

WHEREAS, after the St. Patrick's Day flood of 1936, the union was greatly involved in the rewiring of much of downtown Pittsburgh and the surrounding riverside communities. Additionally, the Local enjoyed more than forty years of uninterrupted prosperity providing electrical power to almost all the major commercial and industrial construction in the region; and

WHEREAS, the Local has been very active in the area of public service. The Vietnam Memorial project, Camp Variety, Make-a-Wish Foundation, United Cerebral Palsy and many other groups have benefited from volunteer skilled labor provided by Local #5. When floods struck Johnstown in 1976, the Local sent in hundreds of members to rewire the city without charge.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate

I.B.E.W. Local #5 on 100 years of work performed with high standards of quality and safety!

THE CHAIR moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

I just wanted to say before moving on, myself, Councilman Hertzberg, McDonald and Councilman Onorato, of course, all attended the I.B.E.W. dinner and we just wanted to thank the business manager John McIntyre, President, and Ron Dunkel, and all the members of Local 5 for their commitment to Pittsburgh and congratulate them on their 100 years.

We have now concluded read and adoptives.

We'll now move on to the presentation of papers.

MR. CUSICK PRESENTED:

No. 1871 Resolution providing for an agreement with City Source Associates for the purpose of providing professional services for the 1997 Community Enrichment Program at a cost not to exceed \$130,500.

MR. HERTZBERG PRESENTED:

No. 1872 Resolution further amending resolution 87 effective March 13th, 1997 entitled, "Resolution providing for an agreement with various community

organizations for operational administrative expenses at a cost not to exceed \$108,000 by changing Windgap Chartiers Athletic Association \$2,000 to read Elliot, West End Athletic Association for Windgap Chartiers Athletic Association, \$2,000."

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

MS. McDONALD PRESENTED:

No. 1873 Resolution adopting a tax incremental financing plan presented by the Urban Redevelopment Authority of Pittsburgh creating the Federal North Tax Incremental Financing District.

No. 1874 Resolution authorizing a cooperation agreement with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the Pittsburgh School District providing for financing, monitoring, implementing and terminating of the Federal North Tax Incremental Financing District.

MR. HERTZBERG moved to suspend Rule 8 on those two bills by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

No. 1875 Resolution amending Resolution 104 effective March 27th, 1997, entitled "Resolution providing for an agreement for various community organizations for operational/administrative expenses at a cost not to exceed \$129,250, so as to delete three projects known as Central North Side Neighborhoods Council, and Central North Side RFI and add five projects, Ebenezer Development Corp., Macedonia Family & Community Enrichment Center, New Light Temple Scholarship Project, Uptown Community Action Group, and Warren Community Outreach and increasing the amount appropriated from \$129,250 to \$134,250."

No. 1876 Resolution providing for an agreement with various community organizations for operational/administrative expenses at a cost not to exceed \$1,171,050.

No. 1877 Resolution providing for an agreement with various community organizations for operational administrative expenses at a cost not to exceed \$1,121,050.

No. 1878 Resolution providing for an agreement with Pittsburgh Partnership for operational and/or administrative expenses at a cost not to exceed \$340,000.

No. 1879 Resolution providing for an agreement with Community Based Organizations for community and economic development planning assistance and various neighborhoods in the city at a cost not to exceed \$540,000.

No. 1880 Resolution providing for an agreement with Health Education Center for operational/administrative expenses of the agency involved providing various health related services to low moderate income residents of the City of Pittsburgh at a cost not to exceed \$30,000.

No. 1881 Resolution providing for an agreement and contract with consultants and vendors to assist the City in approving its citizen participation process at a cost not to exceed \$215,000.

No. 1882 A Resolution providing for an agreement with Byrd R. Brown law offices for legal representation as a solicitor of the Pittsburgh Commission on Human Relations, costs not to exceed \$20,000.

No. 1883 Resolution amending Resolution 29, effective 2-7-97 as amended entitled, "Providing for the filing of a community development statement by the City of Pittsburgh with the U.S. Department of HUD for a grant in connection with the 1997 Community Development Block Grant Program, so as to adjust line items in various departments and to add chart filled numbers to all line items.

No. 1914 Resolution authorizing and directing the City Controller to deposit monies from the Department of Housing and Urban Redevelopment or other sources into the HOPWA trust fund and authorizing the use of said monies for administrative and operating expenses.

(Councilman Ferlo now present.)

The Chair:

Thank you, Mr. Cusick, for chairing the meeting.

MR. O'CONNOR PRESENTED:

No. 1885 Resolution authorizing and directing the director of General Services and the director of Public Safety to enter into an agreement or agreements with AT&T Wireless Services pertaining to the Crossing Guards Safety program.

No. 1886 Resolution providing for a contract or use of existing contracts for the rehabilitation of playgrounds at various locations throughout the City of Pittsburgh at a cost not to exceed \$124,874.

MR. ONORATO PRESENTED:

No. 1887 Ordinance amending the Pittsburgh Code, Title 9, Zoning, Article 3, Chapter 921, Zoning District Map Number 8 by changing from R2 to family resident district to RP, residential planned unit development district, all that certain property located at 29 Sylvania Avenue identified as Block and Lot 24015-K, containing 150 feet of frontage along the northerly side of Sylvania Avenue, 18th Ward.

No. 1888 Resolution approving a conditional use under Section 99301 of the Pittsburgh Code, Title 9, Zoning, to Beltzhoover Apartments, Inc. care of Action Housing, Inc. for authorization to construct a three-story structure with 23 units of housing for the elderly at 29 Sylvania Avenue with parking to accommodate five automobiles on property zoned RP, residential planned unit development district, 18th Ward.

No. 1889 Ordinance amending the Pittsburgh Code, Title 9 zoning, Article 3, Chapter 921, Zoning District Map number 12 by changing from R4, multiple family resident district and C4 commercial district to CIC institutional civic district, certain property of Carlow College having frontage on Forbes Avenue, Craft Avenue, Fifth Avenue, and Robinson Street in the 4th Ward.

No. 1890 Resolution approving a conditional use under Section 99301 of the Pittsburgh Code, Title 9, zoning, to Carlow, College for authorization to construct a three and four- story 95,750 square foot center for science and technology with integral parking to accommodate 25 automobiles and for the renovation of Trinity Hall for use as a child day care center both located on the campus of Carlow College and 333 Fifth Avenue on property zoned IC, Institutional Civic District, 4th Ward.

MR. RICCIARDI PRESENTED:

No. 1891 Resolution further amending Resolution 634 effective August 19th, 1994, as amended entitled authorizing the Department of Public Works to sell reclaimed asphalt presently stored at Heth's Run, permission is requested to sell to the general public by the ton. The amendment is to increase the cost of asphalt.

No. 1892 Resolution granting unto Three Rivers Brewing Company an encroachment to construct a sidewalk cafe on a portion of the right of way of the sidewalk area at 2837 Smallman Street in the 6th Ward.

No. 1893 Resolution granting unto Bernardo Katz, an encroachment to construct a parking area and fence on Milo Street in the 19th Ward.

No. 1894 Resolution granting unto Viggio Restaurant an encroachment to construct a sidewalk cafe with planters and 2302 and 04 East Carson Street in the 17th Ward.

No. 1895 Resolution granting unto Jak River Partners, an encroachment to construct a rail line crossing on Railroad Street in the 2nd Ward.

No. 1896 Resolution granting unto Tarasi law firm, an encroachment to construct three planters on the sidewalk area on 510 Third Avenue in the 1st Ward.

No. 1897 Resolution providing for a vacation on a portion of Shaw Avenue between Beechwood Boulevard and Shaw Avenue in the 14th Ward.

MR. UDIN PRESENTED:

No. 1898 Resolution providing for an agreement with the consultants for design and implementation of the city wide training program, costs not to exceed \$30,000.

No. 1899 Resolution authorizing the issuance of a warrant in favor of Jerry Cavalovitch for use in making change at the traffic court window, costs not to exceed \$500.

MR. FERLO PRESENTED:

No. 1900 A communication for Eloise Hirsh, director of the Department of Planning submitting the re-certification of Area A, Lawrenceville/Bloomfield for the

residential parking permit program in accordance with the Pittsburgh Code, Title Five, Traffic, Chapter 549.

MR. RICCIARDI moved to receive and the communication.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Thank you. That concludes our presentation of papers.

REPORT OF COMMITTEES

The Chair:

Thank you very much. Moving to reports of committees.

I want to remind, colleagues, we have a post agenda meeting immediately following the legislative session regarding the Duquesne Light and other electric utility deregulation in the state as well some discussion regarding a proposed merger of Allegheny Power with Duquesne Light.

MR. UDIN PRESENTED:

Bill No. 1901:

Committee on Finance and Budget for April 23, 1997, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1829:

Resolution authorizing and directing the City solicitor to provide the City Clerk with a written report detailing the actions of the law department in regards to the property and establishment located at 2132 East Carson Street.

Which was read.

Also,

Bill No. 1830

Resolution authorizing and directing the city magistrate of the city courts to provide a written report to the City Clerk detailing the actions of Housing Court in regards to the property and establishment located at 2132 East Carson Street.

Which was read.

Also,

Bill No. 1842

Resolution providing for the issuance of a \$966 warrant in favor of Cornelius Swinton in settlement of claim for an accident with a city police vehicle.

Which was read.

Also,

Bill No. 1843

Resolution providing for a warrant in favor of Lexis-Nexis in the amount of \$1281 in payment for computer user research services for City Council.

Which was read.

Also,

Bill No. 1859

Resolution of City Council of the City of Pittsburgh declaring its official intent to issue in the future tax exempt obligations a portion of the proceeds of which shall be used by the City of Pittsburgh to reimburse itself for certain capital expenditures made prior to the issuance of such obligations identifying said capital expenditures and the funds to be used for such payment in providing for certain other matters in connection therewith.

Which was read.

The Chair:

You have heard the reading and title of the bills. Is there any discussion? Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

AYES Seven NOES None

Mr. O'Connor:

I may have lost one vote. Did you read 1859 that was in this?

The Clerk:

Yes.

Mr. O'Connor:

Okay. I would respectfully vote no, that's the \$2 million dollars going to Panther Hollow which we had some debate on. I don't even know what's legal but I questioned everybody sliding it through, so I'm voting no on that.

Mr. Hertzberg:

With respect to that bill, I think there is a blank in there. Did we ever fill that in?

The Chair:

Well, I'm not signing it until it's filled in, so I hope --I don't know how we can -- motion to recommit the bill. We can't approve a bill if it's not complete at this meeting.

MR. UDIN moved to recommit Bill No. 1859.

Mr. O'Connor:

It's a very, very questionable bill and I think everybody ought to take a hard look at this bill.

MS. MCDONALD seconded the motion.

Mr. Hertzberg:

I don't find it questionable, but the blanks should be filled in.

The Chair:

Obviously the bill needs to be recommitted.

Which motion prevailed.

The Chair:

The reference was 2 million at the standing committee. I don't know why it's not in the bill, but we will straighten it out.

Mr. Hertzberg:

That's the total bond issue amount or the next issue.

The Chair:

We need to clarify.

MR. RICCIARDI PRESENTED:

Bill No. 1902:

Report of Committee on Public Works, Water and Environmental Services for April 23, 1997, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1832:

Resolution Granting to William Bonach an encroachment to construct a four foot by four foot wheelchair lift adjacent to existing front steps at 320-37th Street in the 6th Ward.

Which was read.

Also,

Bill No. 1833:

Resolution granting unto The Church of Jesus Christ of Latter Day Saints, an encroachment to construct a parking area, sanitary and storm sewers, electrical lines and a gate at the south eastern end to control access to the property at Chesney Way in the 4th Ward.

Which was read.

Also,

Bill No. 1834:

Resolution granting unto Kanes Courtyard, an encroachment to construct a handicap ramp and steps on a portion of right-of-way on Winthrop Street in the 4th Ward.

Which was read.

Also,

Bill No. 1835:

Resolution granting unto Russell Hunter an encroachment to construct a wheelchair platform, retaining walls on either side, a fence and gate at the entrance to the lift on Alton Street in the 19th Ward.

Which was read.

Also,

Bill No. 1836:

Resolution granting unto Primanti Bros. Bar & Grill an encroachment to construct a sidewalk cafe on #2 South Market Place in the 1st Ward.

Which was read.

Also,

Bill No. 1838:

Resolution granting unto Towne Place Apartments an encroachment to construct a four foot in diameter planter on an 18-inch high concrete base, four foot wide by five foot six inches long and leaving a six feet wide sidewalk on Colwell Street in the 3rd Ward.

Which was read.

Also,

Bill No. 1839:

Resolution vacating a portion of Unnamed Way from Pineridge Street to its easterly side in the 13th Ward.

Which was read.

Also,

Bill No. 1840:

Resolution vacating a portion of Pernod Street between Federal Street and Reddour Street, Unnamed Way off Reddour Street to its dead end and Unnamed Way off Eloise Street to its dead end in the 22nd Ward.

Which was read.

The Chair:

You've heard the reading and title of the bills is there any discussion?

Mr. Cohen:

Thank you, Mr. President. I'd like to ask that Bills 1833 and 1834 be recommitted, please, those are both in my district and I need a little more information before I --

THE CHAIR seconded the motion.

Which motion prevailed.

The Chair:

Other discussion? Hearing none, roll call vote.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	Mr. Udin
	Mr. Ferlo
	(Pres't)

AYES Seven NOES None

All of the bills having received the legally required number of votes have been approved finally.

MS. MCDONALD PRESENTS:

Bill No. 1903:

Report for the Committee of Housing, Economic and Development and Promotion for April 23, 1997, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1806:

Resolution further amending resolution 1415, effective January 1, 1991 as amended entitled "Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program, and improving the 1991 through 1996 capital improvement program by adjusting various line items in conformance with City Council's 1991 capital budget amendments by reducing line item URA public space improvement from 500,000 to 300,000 and adding new line item public works graffiti removal from zero dollars to \$200,000.

Which was read.

Also,

Bill No. 1823:

Resolution authorizing an agreement with Omiya, Japan establishing Sister City Status.

Which was read.

Also,

Bill No. 1824:

Resolution authorizing the URA of Pittsburgh to expend an amount not to exceed \$140,000 for the industrial land reserve for environmental remediation work at the former Lectromelt site.

Which was read.

Also,

Bill No. 1825:

Resolution Approving Execution of a Contract for Disposition of Land By

and Between the URA of Pittsburgh and PHASE for the sale of parcels 4A, B, C, D, E, F and B in the 26th Ward and Redevelopment Area No. 36, Chester Avenue at Burgess Street.

Which was read.

Also,

Bill No. 1826:

Resolution Approving Execution of a Contract for Disposition of Land By and Between the URA of Pittsburgh and Artspace Pittsburgh Limited Partnership for the sale of block 84A, Lot 271 in the 8th Ward, East Liberty development.

Which was read.

Also,

Bill No. 1827:

Resolution Authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest in and to Block 84A lot 271 in the East Liberty Redevelopment Area.

Which was read.

Also,

Bill No. 1828:

Resolution Authorizing the URA to acquire all of the City's right, title and interest, if any, and to the publicly owned property designated as Block 15K, Lot 240 in the 18th Ward rental housing development improvement program.

Which was read.

Also,

Bill No. 1857:

Resolution amending Resolution 149, effective March 8th, 1994, as amended entitled, "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of HUD for a grant in connection with the 1994 Community Development Block Grant Program" by reprogramming the Department of Engineering and Construction.

Which was read.

Also,

Bill No. 1858:

Resolution Amending Bill 1375 of December 4, 1996, as amended entitled, "Providing for the filing of the Community Development Statement by the City of Pittsburgh with the U.S. Department of HUD for a grant in connection with the 1996 CDBG Program" by deleting two programs in the Department of Engineering and Construction and increasing a line item in Engineering and Construction known as Wall, Step and Fence Program.

Which was read.

The Chair:

You've heard the reading and title of the bills, is there any discussion?

Mr. Onorato:

Mr. President, on Bill 1806, this is the amendment, I have the four

amendments, actually we're going to pick one of them hopefully that we decided that we move forward with last week about the funding for graffiti. And I'd like to hear from my colleagues some debate on it.

The Chair:

Please offer one amendment, even though there's four options.

Mr. Onorato:

What I'm going to offer is when you look at this sheet, there are four amendments, they're numbered one through four on the left-hand side. I'm going to offer it to start discussion, one amendment, and that is Amendment No. 3 a motion to amend by substitution Bill 1806 with Amendment 3.

THE CHAIR seconded the motion.

Which motion prevailed.

The Chair:

Okay, for discussion now on the bill, excuse me.

Mr. Onorato:

On the bill as amended, what you have in front of you is a \$200,000 line item, \$200,000 on this amendment is transferring \$200,000 from a URA account entitled Rental Housing Development Program. There's currently \$400,000 in there from the 1997 CDBG allocation. This would decrease it to \$200,000 and put 200,000 into the graffiti removal fund. Talking with Councilman Udin a little earlier and some other colleagues right before the vote here, I know there's some

concerns about any one of the amendments, but on this particular account, if we could possibly use any prior dollars, well, we haven't found any yet, and I'll be more than happy, more receptive to deal with any prior dollars that are unencumbered that are found to try to replenish one of these accounts if they are available. But I thought it was important that we moved ahead with putting money in graffiti removal and then deal with the search of the prior years and then we could move forward with replenishing any funds. But this is probably the beginning of a very tough debate that's going to happen in the fall during the budget decision of what we do with federal dollars, and do we shift from development to maintenance? Obviously I'm making a move to do that, and I believe that's what we should be doing. This is just a stop gap measure until we get to the budget process. But like I said, I'm receptive to any comments as long as we get \$200,000 in graffiti removal.

Mr. Udin:

Thank you. First of all, I want to congratulate Councilman Onorato on the fine work that he's done, along with Councilman Ferlo on the previous work he has done on graffiti removal. I think it's an important first step, but as Councilman Onorato has said frequently, it is only a first step, there are many more steps that have to be taken.

Also, I appreciate the Councilman's openness to inclusion of other items in the bill to make it a more comprehensive bill and a bill that I feel comfortable in supporting. What I'm not as comfortable about, Mr. President, is the fact that the funding of the project is out of current

programs that affect human beings rather than out of funds that are unencumbered from previous years, which is where I'd rather see the funding come from.

I'm glad to hear that Councilman Onorato is open to supporting replacement of funds that may be voted today out of current 1997 funds, if we're able to locate unencumbered previous year funding that is sitting somewhere unused.

So for that reason, and because I'm not interested in calling organizations that we have already informed that they have funding for this year and telling them that their funding has either been eliminated or reduced, I think that would be devastating for a lot of community organizations. So for the reason that I stated, we will work to find a replacement for it and I would anticipate Councilman Onorato's support if such funding is found for those reasons, I'm prepared to vote in support of the bill as amended.

Mr. O'Connor:

One question, and I don't want to be sarcastic. Is there any Picket Fence money left? Have we drained that? Have we double checked that?

The Chair:

I think it's a good point. I think the point now is approve this and move on, put it back in the Administration's lap, let them come back if they're not satisfied, probably they will not be if you take it from the URA. But we need to know whatever unencumbered accounts are out there, including Picket Fence, or anything else. We have CD dollars that have gone back ten years that are still encumbered

and are not freed up. So I think what Mr. Onorato is saying is let's move on, let's put it back in the lap of the Administration, come back with that appropriate figure.

Mr. O'Connor:

I'm glad to hear that we -- our priorities are starting to look at shifting from development to maintaining what we have. I think Mr. Onorato was very correct in that, and I will be supporting this.

But also the graffiti buster has came up in our discussions Wednesday. I hope that we have six divisions that we don't pass the buck onto some group, you know, a lot of these parks can be cleaned by existing workers, so we don't put off, that's a key. I want to be on record to make sure that doesn't slack off and we only put it on the backs of a couple people, especially the minor things. Now using machines and equipment, I can see that, but there's a lot of small -- the graffiti in the parks that can be done on a daily basis by our existing workers.

Mr. Hertzberg:

Thank you, Mr. President. Yes, the CDBG factor here is unfortunate because it doesn't seem like the problem follows what are called CDBG eligible area designations and it's unfortunate that whatever is ultimately done here can only benefit CDBG areas, but I suppose there that they are equally faced with the problems.

As far as this particular fund, the rental housing development program, it's actually as far as supply and demand currently, the demand for this money

exceeds any other fund in the different funds that the URA has because of what it is. What it is is a fund for investors who want to improve rental housing. So -- and it's a low, low interest rate loan fund that does that. There's not a lot of money in it right as you see, \$400,000. I'm just surprised that it's not encumbered already. I know, in fact, what you probably see, anybody that would end up with this money in 1997 has probably been trying to get it since 1993, because every year, the demand so far exceeds the supply. In fact, what happens is those that think they're going to use this money and have a property sitting and waiting there for this money ultimately end up not being able to do what they want to do because the property tends to deteriorate anyways. But I mean as far as its use and it being used for rental properties only and for investors, I suppose this is an appropriate place to go as any and I just hope we don't get ourselves in trouble. I know Mr. Onorato's made inquiries and I at least have been told that this money is all spoken for and all committed, but I'm surprised at that. But we can go ahead and see what happens.

Mr. Cohen:

Thank you, Mr. President. I'm not particularly happy about this line item either, but, you know, wherever we take this money from, someone's ox is going to be gourd. So I do think, as Councilman Hertzberg just said, we need to send a message, and this is a message that Councilman Onorato initiated with this bill, and that message is that the City will not tolerate graffiti anymore, we won't tolerate it, that the kids who spray this graffiti on buildings, they are not artists, they are vandals and need to be treated that

way. And that the City and the private property owner need to work together to be able to get this graffiti off as soon as possible. Is this the best line item to take that \$200,000 from, I don't know. I'd rather not see it come from this particular line item, but I think the overall message is strong enough that we should send it over to the administration and work together to make sure that we invest in getting graffiti removed, and that's what this does.

The Chair:

Thank you. Other discussion? I think we need to move on this today in final form. We may have to come back and revisit the actual two hundred thousand dollar line item, but we've been struggling with this bill. It's a great bill, it's a fundamental rewrite of the Graffiti Code, it keeps everything that we had before as far as enforcement, but more appropriately, it says we need to partner with private property owners who are victims of graffiti vandalism. But in signing and approving this bill today, we got to put our money where our mouth is.

The administration says they're committed, we're adopting it, they need to come back and show us down to the staff and how the work is going to be done. But approving this bill, we are, in effect, telling private property owners all around the city, be it commercial or residential, that we will assist you in the removal of graffiti.

So in approving this today, I hope the administration is hearing this loudly and clearly they need to get online very quickly towards implementation of this bill, they need to come back to Mr. Onorato, or Chairman of Finance, Mr.

Udin, and all of us regarding the staffing arrangement. I really don't believe it should be done by division. I think they had a dedicated graffiti crew that could work all around the city, if they're given the tools, the equipment, the materials and the staffing, can clean up this town. They did a great job while they were working, they need to be working full-time yearlong, in addition to, Councilman O'Connor states that the existing work crews in the parks and all that need to be aware and have some tools as well Housing Authority employees and the like. We can make ahead -- we can do a substantial amount of work. So in approving this bill in final form today, the administration's got to come back and really fulfill the obligations that they stated at last week's meeting.

Mr. Onorato:

I just want to clarify a point which is very important, and that is for people listening, the CDBG allocation today does only apply to CDBG neighborhoods, which is about two-thirds of the city, but Public Works made it very clear on Wednesday of last week that out of their current budget, they will use the dollars there that do the non-CDBG neighborhoods for this year only. They recognize we're going to need to put money in there, both non-CD money and CD money at the end of the year if we want to continue the program. So I want to make it clear that if the bill passes today, it's for the entire City, not just for CDBG neighborhoods that we will respond to. And we only have the funding bill in front of us, the actual ordinance will be coming up under Public Safety.

Mr. O'Connor:

Just a quick note, my staff just showed me there's \$125,000 left in the Picket Fence, so that's a consideration. And I certainly want to commend Mr. Onorato for his leadership in this. It's one of the most important things to keep our neighborhoods from this blight, and it only takes a little to start, and all of a sudden the copycats are there. So, again, we all support him and encourage him to -- and our workers to keep up the good work. And I know one summer, at least two summers ago, everything was fixed, and I think we've really slacked off in the last year or so. Hopefully this will pick it up.

Mr. Udin:

Just a reminder to the Administration, during the discussion of -- at the standing committee, we asked for several different pieces of information. I was hoping to get that information before we had to vote today, but I would remind the Administration and DPW to present that information to the City Clerk's office as soon as possible.

The Chair:

Thank you. I would ask following the adoption of this ordinance that Mr. Onorato and Mr. Udin as Finance Chairman meet with the administration and fine tune this appropriation, paying special attention to Mr. O'Connor's point about Picket Fence, unencumbered funds or other back dollars that we have yet to expend. Any other discussion?

Roll call vote.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ferlo, Pres't.
Ms. McDonald	Mr. Udin
Mr. O'Connor	

AYES Seven **NOES** None

All of the bills have received the legally required number of votes and have been approved finally.

Mr. Cohen:

I'm sorry to interrupt you. I actually thought that was a vote just on that one bill. I'd like to make just a couple comments if I could. There are two bills in here on the Constantine Pontiac development. I just want to take one moment to thank you, Council President, and you, Councilwoman McDonald, for putting a new project in that Constantine Pontiac building, it's called Artists and Cities, they're actually converting an old warehouse into new studios for artists. It's going to be terrific, and this is a final passage of the bill. I didn't want us to pass that without at least noting what it's for. And Secondly, the final bill there, dealing with walls and fences, I believe that's under here, is it not, the engineering and construction I did just want to just reiterate and confirm Director Reginella's commitment on Wednesday that the Mellon wall and fence will be completed by mid to late summer.

The Chair:

That's coming up.

Mr. Cohen:

Oh, is that not --

The Chair:

A point well known.

Did we take a vote or not? Did you get the vote, Mr. Mascio? I thought we voted, the existing graffiti bill stays as is, Mr. Onorato was amending the budgetary bill changing the two hundred thousand dollar line item from the URA. Are you clear on that?

MR. COHEN PRESENTS:

Bill No. 1904:

Report for the Committee on Public Safety Services for April 23, 1997, transmitting one ordinance and one resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1737:

An ordinance supplementing the Pittsburgh Code, Title 6, Conduct, Article One, regulated rights and actions by deleting chapters 616.02, duty to remove graffiti, and 616.04 rewards, and adding chapters 620, graffiti abatement.

Which was read.

Also,

Bill No. 1831:

Resolution authorizing and directing the chief of the bureau of

building inspection to provide a written report to the City Clerk detailing the actions of BBI in regards to property and establishment located at 2132 East Carson Street.

Which was read.

The Chair:

You've heard the reading and title of the bills, is there any discussion? Hearing none, the bills are ready for final action. All in favor of the passage of the bills will vote aye when your names are called, if you're opposed, vote no. Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	Mr. Udin
	Mr. Ferlo
	(Pres't)

AYES Seven **NOES** None

All of the bills having received the legally required number of votes have been approved finally.

Mr. Onorato:

Just point of procedure.

The Chair:

Point of procedure, Mr. Onorato.

Mr. Onorato:

We just voted on all the public safety bills, correct? And I'd have to ask that we reconsider Bill 1737 because we were supposed to make a final change today based on the discussion Wednesday. That was my fault, I was --

The Chair:

If you could clarify what you're saying to us, 1737?

Mr. Onorato:

1737 is the Graffiti Ordinance itself.

The Chair:

Right.

Mr. Onorato:

And if I could just pass this down everyone. This is really the legal language under the restitution that I said I would change. And there seems to be a little misunderstanding between what was actually passed through the last three weeks, so I was just going to have -- make an amendment to amend by substitution which really is only changing two small areas.

The Chair:

Okay, just so we're clarifying, Bill 1737, we need one final last --

MR. ONORATO moved to reconsider Bill 1737.

MR. UDIN seconded the motion.

Which motion prevailed.

MR. ONOROATO moved to amend substitution for Bill 1737.

MR. UDIN seconded the motion.

Mr. Onorato:

What's changing actually if you're interested in the minor change under Page 2, under Section 2, we added the word "private" in front of property owners under 620.06, it just said property owners, it now says private property owners. The other big change is under Section 620.04, which are the penalty section, and that's, A, restitution, and, B, community service. Under restitution, the language just states that the City Solicitor shall seek the restitution, and, B, community service explains that the City will provide supervision using our clean sweep and the programs dealing with Partners & Park. This all came from Wednesday's. And that's it.

The Chair:

Any discussion on these two amendments?

All in favor of the amendments and the bill?

The Chair:

It is unanimous.

All of the bills on that committee as amended have approved finally.

MR. O'CONNOR PRESENTS:

Bill No. 1905:

Report for the Committee on Engineering and Construction for April 23, 1997, transmitting two resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1803:

Resolution amending Resolution 633 effective August 19th, 1994, entitled "Providing for a contract for the renovation of recreation centers and senior centers at a cost not to exceed \$50,000 by decreasing the total project allocation from \$300,000 to \$250,000.

Which was read.

Also,

Bill No. 1804:

Resolution amending Resolution 130, approved March 20th, 1997 entitled, "Providing for a contract and/or agreement in connection with the Wall, Step and Fence Program at various areas throughout the city by increasing the total project allocation by 175,000 from 469,518 to \$644,518.

Which was read.

The Chair:

You've heard the reading and the title of the bills, is there any discussion? Your comments on Mellon Park are so noted.

Mr. Cohen:

The reason I had the comments before, Mr. President, is because I believe the change for the Wall and Step Program is coming from Planning Department Funding, so I actually already addressed it. Thank you.

The Chair:

Any other comments? Hearing none, roll call vote.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. O'Connor
Ms. McDonald	Mr. Udin
	Mr. Ferlo
	(Pres't)

AYES Seven NOES None

All of the bills having received the legally required number of votes have been approved finally.

The Chair:

That concludes our reports of committees. I want to remind our colleagues we have a post agenda immediately following this regarding the electric industry in Pennsylvania's deregulation and side issues of the company so called merger of Allegheny Power with Duquesne Light and/or monopoly thereof. Councilwoman McDonald had her hand up, then Mr. Udin.

Ms. McDonald:

Yes, I just wanted to express condolences for the family of Dianna Green who was a corporate leader in the Pittsburgh community, a very important one, as she was one of the highest ranking African-American women in the corporate structure, and she was here in Pittsburgh, Pennsylvania, and she had a very tragic and unfortunate death.

She will -- I received a memorandum from the Urban League of Pittsburgh by Ester Bush, who's president and CEO, and I just want to read this for the listening public since she was a very important figure in the African-American community, and not only there but in all -- throughout the City of Pittsburgh and the region, as she did a lot of community -- she was very community involved.

The Urban League family shares the tragic loss of our beloved Board Chair, Dianna L. Green. Ms. Green's tenure as a Board member began in 1992. She went on to assume the position of chair woman in 1994. Ms. Green saw the agency through many successful transitions.

In addition to the many years of outstanding service to the Urban League, Ms. Green's activism as a revered business and community leader, and I would say a church member, a very religious woman herself enhanced the quality of life throughout Greater Pittsburgh.

So that all staff may attend the funeral services, the Urban League will be closed on Thursday May 1st from 10:00 a.m. until 1:30 p.m. The arrangements are follows, visitation is Wednesday, tomorrow, April 30 at Mt. Arrott Baptist Church on Paulson Avenue in East Liberty from 5:00 to 8 o'clock p.m. And that's at

Mt. Arrott. Funeral service will be at Mt. Arrott on Thursday May 1st, at 11:00 a.m. with interment in Miami, Florida, her hometown. Condolences may be sent to Ms. Ester Bush, again, president and CEO of the Urban League. She will ensure that the family receives them. And at the request of the family, and this is how I want to go out, in lieu of flowers, please send contributions in Ms. Greene's memory to the Youth Development Department of the Urban League of Pittsburgh. Thank you.

Mr. Udin:

My comments, Mr. President, were expressed by Councilwoman McDonald. I just want to add that Ms. Green was a friend to many, many people in the corporate Pittsburgh and as well as the African-American community. And it's just kind of coincidental that I was just looking at the announcement of the post agenda immediately following this session on utility deregulation, and its economic and environmental consequences, and I was just reminded that utility deregulation and mergers and acquisitions and monopolization also not only have economic and environmental consequences but social consequences. And I'm afraid that Ms. Green was one of them. And it's very difficult to sit and discuss utility consequences without thinking and feeling the pain of the loss of Ms. Green. Thank you.

Mr. Cohen:

I also would like to join in the expression of condolences for Dianna Green. She was a constituent of mine and a friend and such a talented and caring woman and a true civic leader with tremendous experiences, experiences in

the military, experiences in the corporate Pittsburgh at the highest levels, and experience in civic duty, and it's just very, very, tragic, and I express my deepest condolences to her family and friends.

Mr. O'Connor:

I too want to express my sympathy, but I've served with Dianna on a couple boards. I've known her for many years. She was a dynamic woman and I think probably the highest -- one of the highest positions as a woman or African-American woman, and I must admit no matter when I called or whenever anybody needed anything, her phone and door was always opened from the biggest things to the littlest things. She was a very caring person, and this community will really, really miss, and it's a great loss for our whole community.

The Chair:

Any other discussion or other matters? Again, we have a post agenda. The business must continue. At this time, I would ask that we adjourn, and if my colleagues would try and keep the post agenda meeting to last one hour.

At this point, this legislative session stands adjourned and post agenda will begin in about five minutes. Thank you very much.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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No. 18

Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO.....Deputy Clerk

Pittsburgh, PA
Tuesday, May 6, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo (Pres't)
Mr. O'Connor	

The Chair:

Good morning everyone. We have a number of honored guests in the audience this morning and at this time would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world?

Timika and Tychicus Noel:

I pledge allegiance to the Flag of the United States of America, and to the republic for which it stands, one nation

under God, indivisible with liberty and justice for all.

The Chair:

Thank you. Thank you, Timika and Tychicus, two beautiful names. We appreciate you both for coming down here today and issue the Pledge of Allegiance and the Crescent School for participating in this.

We have a number of guests this morning; and at this time it is my honor and privilege to introduce Councilwoman Valerie McDonald, Jean Bryant, in my Council District, Stanton Heights.

Ms. McDonald:

These are representatives of the Miss Black Teenage Pageant; and before I read the Resolution, I'd like for everyone to raise their hands so that the audience can know who, first of all, Jean Bryant's, who's the founder and coordinator; she's a reporter with the Pittsburgh Post Gazette; and she's Director Michelle Alexander --

Ms. Alexander:

Here I am.

Ms. McDonald:

-- pageant committee member; and Shawnee Alexander, who's Michelle's daughter. She is the reigning Miss Pittsburgh and former Miss Black Teenage Queen. She is now Miss Pittsburgh. Congratulations. Wonderful.

Tamara Rush, to my right, Tamara Rush, producer of KDKA Radio, a former Miss Black; and Katasha Rush, who is the reigning Miss Pennsylvania running queen and former Miss Black Teenage; 2nd runner up, Connie McDaniel, account executive for Pittsburgh Magazine; Kim McDaniel, buyer at Kaufmann's downtown; and 1988 Miss Black Teenage Queen, Renee Moore, producer. Come on Renee. Who is this woman seated -- she's one of us. She is the very first Miss Black Teenage Queen from 1973. Go ahead, Renee, and she keeps us in line and makes sure we're televised; and, of course, Lamont Jones, who is a reporter with the Pittsburgh Post Gazette and a pageant committee member.

PRESENTATIONS

MS. MCDONALD PRESENTS:

No. 1906 WHEREAS, on Sunday, May 11th, 1997, the Miss Black Teenage Beauty Pageant will celebrate its 25th anniversary as the pageant -- as the pageant is held at Soldiers & Sailors Memorial Hall; and,

WHEREAS, since it began in 1973, the Miss Black Teenage Beauty Pageant has provided our youth with a better understanding of themselves and the world around them. They realize the importance of having goals and they strive to achieve their potential. Almost 1,400 young women have graduated from the program and furthered their success to become productive young women; and,

WHEREAS, the eight-week program emphasizes confidence, awareness, pride, and spirituality to participants from 11 to 17 years old. The program educates these teens on the perils

of substance abuse, teen pregnancy, and teen suicide; and,

WHEREAS, each year the Miss Black Teenage Pageant offers thousands of dollars in scholarships to participants and former contestants. Also, in the past six years, through the kindness of Clarion University, the program has awarded qualified participants a four-year scholarship to Clarion. I should have got my daughter in this. To date -- she wants to go to Clarion. I should have known.

To date, the program has generated \$500,000 in grants, including the four-year Clarion scholarships. That's a half a million dollars.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Miss Black Teenage Pageant for offering a positive alternative in the lives of our youth. We also congratulate this year's participants for their numerous and outstanding achieve -- accomplishments.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh declares Sunday, May 11th, 1997, Miss Black Teenage Day in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Ms. McDonald:

You all are to be commended, 25 years, Jean, I didn't realize it was that long, I didn't real -- and I didn't realize we

had a celebrity manning the camera sometimes, you know, I didn't know this.

Mr. O'Connor:

Were you runner up?

Ms. Bryant:

I want to thank Councilwoman McDonald for this honor and members of council. It has been a long 25 years, but it's been 25 years with a mission. The mission has not changed in 25 years. We aim to give our young women the winning edge; and as you can see here, they are winners. They have productive jobs. They're wonderful citizens and I'm very proud; and I'm not sure we can do it another 25 years, but we do need your support for as long as we can do it. Thank you.

Ms. McDonald:

Okay. Shawnee, would you like to have some comments and whoever else, whoever wants to speak.

Ms. Alexander:

I just want to say that I was in the Miss Black Teenage Pageant for three years and, through a lot of hard work, I was queen in 1995. I went on to six other pageants. I placed in five and won titles in three. So this pageant definitely works.

Ms. Moore:

This feels a little different, usually I'm behind the camera or in the control room. Members of Council, I thank you very much for supporting Miss Black Teenage. Twenty-five years ago, I, along

with 64 other teenage girls, first walked across the stage of Soldiers & Sailors Hall. Since then, 1300 young ladies have come through the program and we're very proud of our Silver Anniversary. I invite all of you to come Sunday at 5:00 p.m. Mrs. Bryant starts on time, 5:00 p.m. at Soldiers & Sailors Hall. You're in for a good show. Thank you.

Ms. Rush:

Hello. I just want to say hello to everyone. My name is Katasha Rush. I am a student at Mt. Alvernia High School.

I was in Miss Black Teenage in 1995 where I placed second-runner up. And the Miss Black Teenage Pageant has given me so much confidence in myself and helped me to overcome my fears, so I went on to three other pageants and I won the title of two. Thank you.

Ms. Rush:

Hello, my name is Tamara Rush. I was in a pageant for two years. I was unfortunate that I was not a winner, I was not a queen, but I gained an enormous amount of communications skills which furthered my education in the radio industry, in which I am now a producer for KDKA Radio; and without Miss Bryant, I am sure that it would have been a little harder for me, but I would like to give her thanks and appreciation because she has done a lot for me and I would like to thank you very much.

Ms. Alexander:

Good morning. I'm Michelle Alexander. I'm Shawnee's mother, and even though -- although Shawnee was in the pageant for three years, so was I

because, as her parent, I was there with her through that entire experience and, of course, through the other pageants as well. I'm very, very proud of my daughter. She is a 4.0 student. She will be attending the University of the Arts in Philadelphia this coming September because she wants to be an actress; and she is a great actress.

But just let me say that the Miss Black Teenage Pageant has offered a lot of, of the village of support and warmth, growth and development, not just for its contestants, but for us, as parents, it's given me -- has given me a different level of communication with my daughter other than just putting a roof over her head and clothes on her back and food on the table -- and, believe me, she eats a lot -- but it's given us the opportunity to experience the kind of bond that is very, very special. We get to -- she gets to listen to what I have to say in terms of, let's take the jeans off, because the pageant does not allow the girls to come in just anything to rehearsals and so forth and it really, as a parent, it's just helped me become a better parent; and so, for that, I am extremely grateful for this village. Thank you.

Ms. McDaniel:

Good morning. My name is Connie McDaniel and my daughter was Miss Black Teenage in 1988. Unfortunately, she could not be here. She has a meeting. She's a buyer at Kaufmann's. But the pageant enabled me, as a parent, to grow, but what it does is give me the opportunity to give back to the community to make our girls better equipped to go out and achieve the goals that they want to achieve and to know that they can do whatever they set their minds to. We want to thank you for your support, but to continue to support us; and

when you see the young women out there, you'll know that Mrs. Bryant had a hand in making them the success that they are. Thank you.

Mr. Jones:

Councilwoman McDonald, Mr. President, who is my Council representative, and the distinguished Council members, and you and the public, it's a pleasure to be here. You're probably wondering what a man has to do with Miss Black Teenage, but need you ask? Look at these beautiful ladies.

But I have to say that when Jean called me and asked me to come today, I had a story I had to cover on the South Side, but luckily, Sally Kelson (phonetic) is covering the same story, so I get to be here. And it's been a pleasure working with Jean Bryant. Since I came to the Pittsburgh Press eight years ago this month, of course, you know, the Press is no longer there, we do now work together for the Post Gazette and I am pleased and I want to thank you, Council, and congratulate you for your salute to Jean Bryant and the work that she has done.

I also see Twanda Carlisle smiling over there. She is also a pageant participant. She's been in the pageant before.

So, so that -- but I want to say that this has been a labor of love for Jean Bryant and it is a labor that has birthed 25 years of good citizens and achievers and we're looking forward to many, many more years. So I thank you and it's a pleasure to be here.

Mr. O'Connor:

We were together Friday night, a

couple of the young girls and myself, and we cut a ribbon and they really represent not only themselves and their family but the City of Pittsburgh very well; and I want to congratulate you and good luck.

The Chair:

I want to get Twanda in this picture, too. Come on, Twanda, come on. The alumni -- let's get the alumni up here. She's bashful. Thank you very much and congratulations.

Jean is also active in the Stanton Heights community with Block Watch and public safety and-- I said, you're very active in Stanton Heights with public safety and community improvement -- and I don't know where you find the --

Ms. Bryant:

We crossed swords a couple times.

The Chair:

We don't know where you find all the hours in the day. Thank you, Jean.

Mr. Cohen:

Good morning, everyone.

Could Mr. Kenny Steinberg and the other folks with Kenny and the Gun Lock Resolution please come up?

Members of Council, members of the audience, this is a -- what I view to be a very, very important Proclamation. All of you know that we have too many young people who are killed in this country and in Pittsburgh by firearms.

Obviously, this is a public safety issue because of the tragic deaths that occur with firearms, but it's also a public safety issue and we have some doctors who are here, important members of the health care community. It's a public safety issue because of the number of dollars that are spent every year in health care with respect to people who are killed, especially our young people who are killed with firearms.

This is a low-cost way of reducing particularly unintentional accidental deaths by firearms and that's what this Proclamation is about. It's about this (indicating). This happens to be from one company, it's called a Gun Lock. You lock your gun so that your kids aren't killed by guns. It's easy to use. It's easy to take off and put on. It doesn't cost much; and it doesn't take away the rights of people to bear firearms and that's what this Proclamation is about.

MR. COHEN PRESENTS:

No. 1907 WHEREAS, every day in America, 16 children age 19 and under are killed with firearms; and,

WHEREAS, the rate of firearm death for children age 14 and under is nearly 12 times higher in the United States than in 25 other industrialized countries combined -- 25 other countries combined; and,

WHEREAS, according to the Centers for Disease Control and Prevention, an estimated 1.2 million latchkey children have access to loaded and unlocked firearms; and,

WHEREAS, 25 percent of three to four year olds, 70 percent of five to

six-year-olds, and 90 percent of seven to eight-year-olds have been found to be strong enough to pull the triggers of many handguns found in the United States; and,

WHEREAS, the total annual cost of firearm-related deaths and injuries among children ages 14 and under is approximately \$7 billion; and,

WHEREAS, there are a variety of child safety locks, including inexpensive devices known as trigger locks, which if properly used can prevent a child from gaining access to a firearm; and,

WHEREAS, the required sale of trigger locks, combined with warnings regarding the dangers and legal consequences of improper storage of firearms will help to promote the safe storage of firearms; and,

WHEREAS, the United States General Accounting Office found that child safety locks could have prevented all unintentional firearm deaths in which children age six age -- age six killed themselves or others; and,

WHEREAS, President Clinton, in his February 1977 State of the Union Address, urged the U.S. Congress to pass legislation requiring gun dealers to provide a gun safety lock with the sale of every handgun.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh joins with Pennsylvanians Against Handgun Violence, Handgun Control, Inc., and the National Safe Kids Campaign in endorsing a National Child Safety Lock Legislation and urges the Commonwealth of Pennsylvania to adopt legislation calling for trigger lock controls

with the sale of all handguns.

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Cohen:

We have with us today the leader of this effort, who held a press conference a couple of weeks ago. The Mayor was presented and many other dignitaries, his name is Kenny Steinberg; and before we get Kenny up here, I do want to introduce the others who are here today and have them speak as well on this important issue.

Dr. Paul Pepe, who is the Director of the Center for Injury Control, the Allegheny University of Health Sciences at Allegheny General Hospital. Thank you for being here, Doctor.

Dr. Jeff Coben with the Allegheny General Hospital School of Public Health; and Kay Snyder, who is the Director of the Injury Prevention Program at Allegheny General Hospital. Allegheny General really has been at the forefront of this issue.

Kenny please come up and accept this Proclamation and please give us a few words on this important issue, please.

Mr. Steinberg:

Did you do all the research, yourself, on this, Dan?

Mr. Cohen:

No.

Mr. Steinberg:

Mr. President, members of Council, thank you very much for allowing me to speak before you. This is going to be very short.

This is a trigger lock. This costs \$10.95. This is how it works. Take the key, which is very nice, they provide it with the trigger lock. That's it. You want to put it back on, you just take it, insert it through your gun, stick it on. That's it. That's all it takes to stop a kid from using a gun. What do you do with the key? You put it in your pocket. Your car keys are in your pocket. They're fairly important. And that's all you do. I have about three hours here, do you have -- all right.

Every year, more than 200 children in our country die when kids take guns and they shoot their friends, they shoot their relatives, they shoot their brothers, and they shoot their sisters. Every time that you and I see this in the newspaper, we think, what a terrible tragedy, isn't that awful that poor kid was -- was killed, that poor kid was wounded; and we never think about how that can be prevented. We always think, well, maybe if the kids had better training.

Well, some of these kids have gun training, some of the kids that get shot or sometimes a parent just leaves this in their nightstand, they leave it loaded, and they don't lock it up.

All I can say is: No more. No more. \$10.95 is all it takes to prevent this from happening 200 times a year. In terms of deaths, according to my statistics, 3600 times a year people are hospitalized for

accidental injuries, 15,000 other children receive medical attention from this. If this is all we have to do to prevent this from happening, let's get it done.

Now, as you know, several years ago, City Council passed a Resolution preventing certain assault weapons from being sold within the City limits. Now, you also know that the state passed legislation that stated that the City of Pittsburgh no longer has the ability to regulate anything having to do with weapons, including something as simple as this.

What we need your help for, because we need your help to talk to our state officials and say, you know what, maybe the City of Pittsburgh knows a little bit more than someone in the so-called "T" of the state what we need to keep our children safe, maybe, just maybe we can look at our own crime statistics and see what has to be done. So let's do it. Let's see if we have the political will to do it. Thank you again very much for allowing me to speak.

Mr. Cohen:

Dr. Pepe, can you join us, please?

Dr. Pepe:

Actually, I'll try to stand up here. Thank you very much for your support of this, of the proposal that was made to go to the state. I want to tell you, I stood before City Council many times in another city, Houston, Texas, where I was the city's Director -- the city's Director of Emergency Medical Services and worked for the City Council there for 15 years up until about eight months ago. And one of things we were able to accomplish, I say,

is because we kept statistics, we were able to document the number -- over half of the kids in our community were unintentional injuries. We don't even use the word accidents any more because they could have been prevented.

As you see from your data there, kids six and under, we completely were able to wipe out the unavoidable and unintentional injuries if we used child safety locks, just in that category alone altogether. And what happens is, I need to say and I'm very proud to say, we've enacted similar ordinances in the City of Houston, Texas, when the rate was very high. We immediately decreased the death rate by 50 percent. That's just the death rate, let alone the number of injuries, which was fivefold that. Okay. So that was very exciting for us and later we took it to the state.

As a result of our example, the City of Houston brought the State of Texas to understand that this is a gun responsibility -- not gun ordinance -- approach to taking care of things. And what happened was, there are literally hundreds of kids walking around today that would have been dead without that kind of activity.

So, in closing, I would like to say that I can't think of a worse thing in the world today than it would be for me to get a call from my wife right now as I'm busy doing my work to hear that my child has been injured severely or dead, you know, because of, you know, something as simple as this, something as simple as this. I can't think of a worse thing in the world.

And the reason why I know this is that because my job, as head of our Trauma Center in Houston, was to every

day have to -- and I mean literally on almost a daily basis in 1990 -- was to have to tell a parent that their child was injured severely or dead. It was the worst task in the world and I'm glad to say that today, we -- by taking these kinds of simple precautions, I didn't have to make that trip as much by 1993 and '94 and I don't want to ever do it again in this city.

And, unfortunately, as much as 15 percent or more of such injuries in the Commonwealth occur right here in this county and I want to see that change here as well let alone across the state and across the nation.

I serve as the Emergency Medicine Trauma Consultant to the White House and have provided the same kind of advice and we provide the statistics to them on a regular basis and I'm very proud of the administration there and proud of what you've done here to take some steps to recognize this. Thank you very, very much.

Dr. Coben:

Thank you. I'd like to thank Councilman Cohen and all the members of Council for this Proclamation. I am an emergency physician, like Dr. Pepe. I'm also representing the School of Public Health of Allegheny University; and I'd just like to provide, perhaps, the medical perspective on this because we believe that these deaths and injuries from firearms are, in deed, a major health and public health problem.

I think what we have available to us is essentially a vaccine, that a trigger lock can be viewed as a vaccine because it can eliminate disease of unintentional or accidental injuries and deaths due to

firearms.

If we are able to pass regulations that require a safety cap on an Aspirin bottle, I think we can certainly consider similar efforts for firearms, which are much more lethal. So, again, I'd like to thank you all. I know that similar efforts are under way in the Philadelphia region urging the state legislature to pass similar regulations and I commend you for your efforts. Thank you very much.

Ms. Snyder:

I'm Kay Snyder, the Director of Injury Prevention at Allegheny General. Prior to being in the prevention business, I was a social worker in a Trauma Unit and a grief therapist and I saw too many children die, too much devastation. Children that die within a family system, the system never, ever recovers.

Thank you for supporting this very important movement. If we can save one child, I thank you.

Mr. Cohen:

I want to thank you all for coming down. I have a 3-year-old son at home and we, as I'm sure all parents do, we lock our pesticides, we lock our cleansers, we lock our detergents. For those of you who are watching this, think about locking your guns, especially if you have children in the house.

A representative from Philadelphia, Representative Andrew Carns, just introduced legislation on this, so we'll certainly send this to the state legislature to urge the passage of that; and I also want to thank you C.J. Liss (phonetic) for all her work on this issue.

Mr. O'Connor:

I just heard on the radio, is it true like over 40 percent of homes have handguns now in the country? That's a lot more than --

Dr. Coben:

Yeah. We've actually conducted research in Pennsylvania specifically for firearm ownership. We know that in 1995, 37 percent of all homeowners in Pennsylvania that were surveyed owned at least one firearm; and of those surveyed, 76 percent own more than one firearm. So there are quite, quite a number of firearms out there.

MS. MCDONALD PRESENTS:

No. 1908 WHEREAS, on May 8-11, 1997, Fake Friends and Marvelous Entertainment will perform at the Byham Theater; and

WHEREAS, produced by Marvin Webster and written by Michael Matthews, "Fake Friends", is an electrifying, spiritually uplifting gospel drama about realizing the ulterior motives of others. It also shows the importance of building a strong foundation in a marriage; and

WHEREAS, "Fake Friends" features talented artists such as Shirley Murdock, Ali Woodson, Marvin Sapp, Damion Hall, Hawthorne "Big Red" James, the Ridgeway Sisters, Gary "Lil G" Jenkins, and Roy Fegan; and

WHEREAS, the May 9 performance is sponsored by WCXJ and Pennsylvania East Coast Communications Incorporated, who have selflessly served

the African-American Community of the Greater Pittsburgh area for 10 years.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, wishes the cast and crew of Fake Friends and Marvelous Entertainment to "break a leg". We would also like to commend Marvin Webster, Michael Matthews, and WCXJ for striving to support and inspire the community of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

MR. HERTZBERG PRESENTS:

No. 1910 WHEREAS, Joshua Helterbran, son of Debra and Jeffrey Helterbran, is a member of the Boy Scouts of America, Troop #299, sponsored by Trinity Lutheran Church on Sherwood Avenue, in the 20th Ward of the City of Pittsburgh, Allegheny County, PA; and

WHEREAS, Joshua has satisfied the Eagle Scout requirement of earning 21 merit badges, of which 11 are mandatory in the Outdoor, Fitness and Service Fields, and 10 are in the Fields of his own choice; and

WHEREAS, Joshua was a Senior Patrol Leader; and for his service project, under his leadership, The Boy Scouts completely rebuilt 14 tables located in the Trinity Lutheran Church community room starting from cutting the wood, sanding, staining, shellacking, and replacing the edging for the benefit of all church

members, and various organizations and groups who meet there; and

WHEREAS, only those young men who have been outstanding in scouting, exhibit only the highest ideals, have the esteem of their community and fellow scouts, and serve in a position of responsibility and leadership, obtain Eagle Scout status, the highest rank in the Boy Scouts; and

WHEREAS, through his enthusiasm, hard work and dedication, Joshua has successfully fulfilled all these requirements and has been presented with the Eagle Badge at the Court of Honor ceremonies May 3, 1997;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Eagle Scout Joshua Helterbran on his recent achievement and commends him for his outstanding work.

MR. HERTZBERG moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Onorato:

Everyone here today associated with the Peace on Earth Campaign, please come forward. We have with us Dr. Raymond McClain, from the Pittsburgh Public Schools; Dr. Ronald Bowes from the Diocese, Catholic Diocese of the City of Pittsburgh; representatives from the Police, Fire, and Paramedics, BIB; and we have Sabrina from National City Bank and I don't know if I have her full name here. We're going to find out

when she comes forward.

The Chair:

Why don't we make a couple rows here, ladies and gentlemen.

Mr. Onorato:

Come on over this way. We'll all stand in front or behind each other. There are some steps here. Let's all get closer. Paula Jones is here. Okay.

I'm going to read the Proclamation and then I'm going to turn it over and you can explain what we're doing. Okay.

MR. ONORATO PRESENTS:

No. 1911 WHEREAS, the Peace on Earth Campaign was founded in 1992 by Earl B. Jones, Sr., and the late Lt. Patrick McNamara, former F.O.P. President, to promote fellowship and understanding among all people; and

WHEREAS, the Peace on Earth Essay Writing Contest which was initiated to bring awareness of this theme to the youth of the world, began in 1992 in the Pittsburgh Public Schools and now involves millions of children in the public and parochial schools throughout the region as well as the City of Novokuznetsk; is that close?

WHEREAS, special thanks and admiration are extended to Dr. Raymond McClain of the Pittsburgh Public Schools, Dr. Ronald T. Bowers of the Pittsburgh Catholic Diocese for their continuing efforts with this project; and

WHEREAS, this year's largest sponsor of the Peace on Earth Campaign is

the National City Bank of Pennsylvania; and

WHEREAS, the Police, Fire, Paramedics, and 911, and Building Inspection Bureaus and Unions of the City of Pittsburgh's Public Safety Department have been constant supporters and promoters of this event.

WHEREAS, the Peace on Earth Campaign is acclaimed and endorsed by Bill Clinton, President of the United States; Boris Yeltsin, President of Russia; Tom Murphy, Mayor of the City of Pittsburgh; and E.I. Blinov, Mayor of Novokuznetsk, Siberia.

NOW, THEREFORE BE IT RESOLVED-- no one knows if I'm wrong, that's what's great --

NOW, THEREFORE BE IT RESOLVED, the Council of the City of Pittsburgh does hereby congratulate and commend Earl B. Jones, Sr., and the Peace On Earth Campaign participants and sponsors for their ongoing venture of promoting peace and harmony throughout the world.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the week of May 5th, 1997, "Peace on Earth Week" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Onorato:

Earl, I'm going to turn this over to you. You can introduce who's here, talk about the program and I'll pass some of these out. Here we go.

Mr. Jones, Sr.:

I'd like to say today, this wasn't a one-man effort, although it was the late Pat McNamara and myself trying to start a peace campaign. Pat said to me, "If you can get Joey Keane" -- the gentleman here to my left, at that time Dave Meira (phonetic) of the paramedics -- "if you can get them two together, we'll try it."

So we did. They thought it was impossible, but it's working. So we started with like four men and there is over 10 million people involved today.

I'd like to thank Councilman Onorato and his staff for the wonderful job they've done and all the Council members for supporting me in this effort.

And like I say, I'd like to give the opportunity to some of these people to say a few words, but without the police, fire, paramedics and 911, and gentleman like Joe Cain (phonetic), this wouldn't be possible; and also we have the newly-elected paramedic Mark Snyder.

Mark, would you like to say a few words?

Mr. Snyder:

Good morning. Thank you for having us. I first must say, it is an honor and a pleasure to work with Earl Jones. Earl has been a promoter of peace and harmony on the Earth, starting with Hazelwood up to Pittsburgh, through the whole world. The man has never, ever

stopped trying to make an effort to make sure we all get along. So, again, it's a great honor to have him here.

Mr. King:

Good morning. My name is Joseph King, and I proudly represent the men and women of the Professional Firefighters Association of the City of Pittsburgh Local No. 1.

It's, indeed, an honor to be the presenter to one of the participants who's supported, you know, our program in Peace on Earth, and contrary to maybe some people's opinions, I do it, I'm an advocate of peace; but if I may, if Dr. Raymond McClain would come forward, please?

It's, again, it's indeed a pleasure to award you this recognition plaque for your outstanding involvement in promoting peace among all people, regardless of race, creed, or color. In today's world everything has a price, except your type of men that are still priceless. Thank you very much.

Dr. McClain:

Well, this is a wonderful award, thank you. So many people worked so hard to make it possible. I want to thank City Council this morning for the opportunity to come before you, all the sponsors, both private and corporate, and Mrs. Brennan (phonetic), who couldn't be here this morning. She's out of town. So I brought Mrs. McClain with me.

Would you stand up, Mrs. McClain? I just want Council members to know that since we've downsized at the Board of Education, I'm

wearing three hats now. She never sees me in the evening, so I thought I'd bring her down here this morning, so she could be with you.

Thank you very much for this award. We'll keep fighting for peace on Earth. Sometimes we think with what's going on out there in the community that it's a losing battle, but we'll keep fighting and we'll keep trying and we are making progress thanks to people like Earl and everybody for their support. Thank you very much.

Mr. McQuaid:

Hi. I'm Denny McQuaid. I'm the Vice President of Fort Pitt Lodge No. 1. I'm here on behalf of Smokey Heinz, our President, and I'm glad to present to Dr. Ronald Bowes.

On behalf of the hard work of Earl Jones and in memory of our past President, Patrick McNamara, I'd like to present you with the 1997 Peace on Earth Award for your outstanding involvement for promoting peace among all people, regardless of race, creed, or color. In today's world, everything has a price except your type of men that are still priceless, Dr. Bowes.

Dr. Bowes:

This is absolutely beautiful, I really feel, I'd like to say on behalf of the 27,000 students that I represent and the City of Pittsburgh that attend our Catholic schools, I'd like to thank Earl and all of you.

First of all, I really feel like I'm very humbled by such a beautiful plaque and I want to thank Earl. Earl,

Dr. McClain said to me, Geez, Ron, he's really the one that started this whole thing and we've been helping him, but he's got the whole thing going, is there anything we can do, you know, he's really a saint, is there anything you can do down at the Diocese to -- I said, Well, I can see what I can do, but we're going to have to have a couple of miracles, Earl, in order for you to really get this thing going, you know, to move ahead to sainthood. But as you all know, we do face world -- especially among our children, juvenile crime -- despite adult crime going down, juvenile crime is increasing. We're trying to do the best we can. We read in the paper and we see some horrible things that occur, all of us as parents, every time we see a little child that is shot or something like that, it just absolutely kills all of us. I know that often a tear comes to my eye when I see that, when I think of, you know, that could be my own child that that happens to and I'm sure every parent in this room feels the same way.

This is the kind of program, these are the kind of things we need to do. We need to spread the word about caring about one another, you know, and also that we appreciate, you know, all different people, diversity, that we learn to love one another. That's what we need to do, to reach out.

Earl is doing that through this program and all of us need to pull together as a community to try to help our children to understand that this is no way to live, it is no way to solve problems, that we need to work together. And so I hope this program continues. I know it will, if Earl is around, and we just will, as long as I'm at the Diocese, we will continue to participate and spread the word about caring for one another, loving for one

another, and to try to build our communities into the type of places that we all want to live and be. Thank you very much.

Mr. Onorato:

Mr. President, I thank you. We have a representative from the bank to help sponsor this financially. He should say a few words.

Mr. Jones, Sr.:

This is the place where we do get our biggest amount of money, but what I'd like to do is the Mayor of Pittsburgh, Tom Murphy, gave two Proclamations to both of these gentlemen, Dr. McClain and Dr. Bowes, I'd like to bring them from the Hazelwood Bank to read these, in order that the Mayor, that he could present this.

Ms. Sabrina:

I want to be brief. On behalf of National City, my name is Sabrina. I'm glad to be here. And I'm going to read the Proclamations. One is delivered to Dr. Raymond McClain and the other is to Dr. Ronald T. Bowes; and I'll read it.

By virtue of authority vested in me, as Mayor of City of Pittsburgh, I do hereby issue the Proclamation honoring Dr. Raymond McClain and Dr. Ronald T. Bowes in recognition of his support of participation in the Peace on Earth Campaign, which is organized and led by a Pittsburgh resident, Earl Jones, recognizing Dr. McClain and Dr. Bowes for their effort to organize this campaign in the local public schools and the Catholic schools and for their contribution and their time and talent promoting this very worthwhile civic activity, recognizing the

Peace on Earth Campaign is a positive effort to raise awareness among Pittsburgh residents, especially children, to the need to work toward and create a peaceful society, not only in Pittsburgh, but across the nation and the world.

I am delighted to issue this Proclamation honoring Dr. McClain and also Dr. Bowes, thanking Earl Jones for his continued effort to promote Peace on Earth.

IN WITNESS WHEREOF, I have hereunto set my hand and caused a seal of the City of Pittsburgh to be affixed, Tom Murphy, May 6th, 1997. Thank you.

The Chair:

That concludes our read and adopted.

And moving quickly to Presentation of Papers.

MR. HERTZBERG PRESENTED:

No. 1912 Resolution amending Resolution 398 of 1994, entitled providing for the leasing from Beechview Presbyterian Church, 1621 Beechview Avenue in the 19th Ward for a COP mini-station for a term of two years by changing the term of the least to Commence May 1st, 1996, and renewable annually.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

MS. MCDONALD PRESENTED:

No. 1913 Resolution providing for an agreement with the Jewish Healthcare Foundation to provide administrative operating expenses, housing, and housing-related supportive services to persons with HIV/AIDS and their families at a cost not to exceed \$445,230; and also authorizing the Department of City Planning to charge from time to time costs related -- costs related to the administration of the HOPWA Program at a cost not to exceed \$13,770, total costs of this project not to exceed 459,000, funds available from the HOPWA Trust Fund.

No. 1914 Resolution authorizing and directing the City Controller to deposit monies from the Department of Housing and Urban Development or other sources into the HOPWA Trust Fund and authorizing use of said monies for administrative and operating expenses.

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED:

No. 1915 Resolution providing for the issuance of a \$1,000 warrant in favor of Walitha Mogley (phonetic) in settlement of claim for an accident involving a City police vehicle.

No. 1916 Resolution providing for the filing of a Petition for the sale of certain properties acquired at tax sales in accordance with Act No. 171 of 1984, Second Class City Treasurer's Sale and Collection Act.

THE CHAIR PRESENTS:

No. 1917 A Communication from Mayor Tom Murphy requesting approval for William Ballas (phonetic), as a non-city employee, as a member of the Weed-N-Seed Steering Committee to attend the National Crime Prevention Workshop at Robert Morris College, Moon Township Campus, from April 30th through May 2nd, 1997, at a cost not to exceed \$170, chargeable and payable from the operation Weed-N-Seed Trust Fund.

No. 1918 Communication from Tom Flaherty, City Controller, submitting the City of Pittsburgh's comprehensive annual financial report for the fiscal year ended December 31st, 1996.

The Chair:

We need a Motion to receive and file on the two papers.

MS. MCDONALD moved to receive and file the papers.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

That concludes our Presentation of Papers.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1919:

Report of the Committee on Finance & Budget for April 30th, 1997, Transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1859:

Resolution of the City Council of the City of Pittsburgh declaring its official intent to issue in the future exempt tax obligations, a portion of the proceeds of which shall be used by the City of Pittsburgh to reimburse itself for certain capital expenditures made prior to the issuance of such obligations identifying said capital expenditures and the funds to be used for such payment and providing for certain other matters in connection therewith.

Which was read.

The Chair:

You've heard the reading and title of the bills. Is there any discussion?

Again, this bill was held a couple times.

Hearing no discussion, roll call vote. If you're in favor, vote aye. If you're opposed, vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	

**(MR. O'CONNOR AND MR. FERLO
VOTED NOE. MR. RICCIARDI
ABSTAINED)**

The bill having received the legally required number of votes is approved finally.

MR. RICCIARDI PRESENTED:

Bill No. 1920:

Report of the Committee on Public Works, Water & Environmental Services for April 30th, 1997, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation,

Bill No. 1833:

Resolution granting unto the Church of Christ of Latter Day Saints an encroachment to construct a parking area, sanitary and storm sewers, electrical lines, and a gate at the southeast end to control access to the property at Chesney Way in the 4th Ward.

Which was read.

Also,

Bill No. 1834:

Resolution granting unto Cains

Courtyard an encroachment to construct a handicap ramp and steps on a portion of right-of-way on Winthrop Street in the 4th Ward.

Which was read.

Also,

Bill No. 1837:

Resolution authorizing the Director of the Department of Public Works to grant unto Ronald Julkowski an encroachment to construct a wood and single canopy -- shingle canopy at 908 Brookline Boulevard in the 19th Ward.

Which was read.

The Chair:

You've heard the reading and title of the bill. Is there any discussion?

Mr. Ricciardi:

A point of order. Thank you, Mr. President. Before we vote on this bill -- and I do apologize -- the previous bill, 1859, I need to abstain because I was a witness at the proceedings and if there is no objections from my colleagues?

The Chair:

No objection? Please list Mr. Ricciardi's vote as an abstention, there were two Noes, and I believe the Bill is still passed by the majority. Thank you.

Any discussion on these bills under Public Works, Water & Environmental Services?

Hearing none, if you're in favor of

the bills, vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

AYES Nine **NOES** None

The Chair:

All of the bills having received the legally-required number of votes have been approved finally.

MR. CUSICK PRESENTED:

Bill No. 1921:

Report of the Committee on Parks, Recreation & Youth Policy for April 30th, 1997, submitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1872:

Resolution further amending Resolution 87, effective March 13th, 1997, entitled Resolution Providing for an Agreement with Various Community Organizations for operation and administrative expenses, maintenance, purchase of equipment, and/or minor

rehabilitation of neighborhood facilities, at a cost not to exceed \$108,000, so as to change Windgap Chartiers Athletic Association, \$2,000, to read, Elliot West End Athletic Association for Windgap Chartiers Athletic Association in the amount of \$2,000.

Which was read.

The Chair:

You have heard the reading and title of the bills. Is there any discussion?

Hearing none, roll call vote.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. O'Connor
Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
	Mr. Ferlo
	(Pres't)

AYES 9 NOES NONE

The bill having received the legally-required number of votes has been approved finally.

The Chair:

That concludes our Reports of Committees.

MOTIONS AND RESOLUTIONS

Colleagues, let me just quickly deal with these Public Hearings. I've scheduled a number of Public Hearings and I would ask respectfully for a Motion

to cable cast the following: On Thursday, May 15th, we have a Public Hearing -- is that May 12th or May 15th, Linda? I thought it was May 12th -- May 15th.

Mr. Hertzberg:

15th.

The Chair:

May 15th at 10 o'clock, we have a Public Hearing regarding the accessibility of the City Council Chambers at the request of Councilman Hertzberg; and that public Hearing will be to review the plans regarding the upgrading of the chambers as it relates to accessibility.

On Wednesday, May 28th, we have a Public Hearing regarding the City Controller's coffer for the Consolidated Financial Reporter. I thought it was appropriate that we receive it formally and have some specific discussion through the Finance Chairman regarding the City's financial situation of last year, expended dollars and monies received as we prepare for this planning of the next year's budget.

Mr. Cusick:

What date?

The Chair:

That will be Wednesday, May 28th, at 2 o'clock in the afternoon.

On Tuesday, June 3rd, at 2 o'clock, there is a Public Hearing regarding the TIF, the Tax Increment Financing Plan as presented by the administration and the URA for the Federal North Development, so that required the TIF for the Federal North Tax Increment Financing District.

That will be Tuesday, June 3rd, at 2 o'clock.

On Wednesday afternoon, June 4th, there's two Public Hearings that are kind of complementary. One is the, excuse me, not two Public Hearings, take that back -- on Wednesday, June 4th, at 2 o'clock, there is one Public Hearing regarding the Regional Renaissance Sales Tax Reform proposal. I thought it was appropriate that this Council receive a formal presentation from the Regional Renaissance Commission or Committee, whatever they call themselves, regarding this proposal. It is moving quickly along. I believe it's at the point of taking some legislative form. I'm not sure of what all the details are. There is a lot of questions and discussion and issues at hand.

I do think that whatever the resolve, this Council needs to be a driving force on this issue. I think the jury's resolving a lot of the issues; and before I make a comment, and probably a lot of other colleagues have reserved a lot of comment, I thought it would be important to have a formal Public Hearing to allow them an opportunity to speak and also allow community groups, those who have a vested interest as well, residents, to speak on this issue. So that will be Wednesday, June 4th, at 2 o'clock in the afternoon here at City Council Chambers.

And on Tuesday, June 10th, there will be a double Hearing, back-to-back, at 2 o'clock, Tuesday, June 10th. This is on the bill co-sponsored by several colleagues, along with myself, Mr. Hertzberg, Councilman Onorato, and others who helped. This was on the re-writing of the historic designation preservation code. That bill will have a formal Public Hearing and complementary

to that Hearing on the re-write of the historic district code is Councilman Hertzberg's bill, related bill indirectly, a Resolution authorizing some of the interest repayment funds from the Urban Development Action Grant/Lazarus deal, monies that will come back to the City in the future, small amounts of money, but to be targeted to a Historic District Facade Improvement Initiative. I believe generally that's what it is. So we're going to do those Hearings back-to-back, since they're related. So if there is no objection, I'd like to cable cast those Hearings for the benefit of the public.

MR. O'CONNOR seconded the motion.

Mr. O'Connor:

I thought you had a very good initiative and I don't know if it's included in a Public Hearing or a Post Agenda as far as whether it be Lazarus or whoever, how many City jobs are actually going to be there?

The Chair:

Well, that bill actually comes back up this Wednesday. So we're going to move on discussion this Wednesday on that Tax Increment Financing bill. We held it for two weeks.

Which motion prevailed

Thank you very much. And the Clerk's office please help us get that together.

Any other matters to be brought before the Body?

Mr. Hertzberg:

I was a little bit taken by surprise today when I read the headline in the Pittsburgh Post Gazette concerning a proposal for the Carnegie Airport Busway, a proposed change, which, as I read it, would have its most severe impact on City Council District No. 2. In fact, the proposal is that one lane of West Carson Street is now being devoted to the busway.

The former plan, of course, had the busway as its own routing and not using any of what are now public streets. I think City Council District 2 would be the most impacted by it. I have been informed since reading this article that this is, by far, not a done change in the routing of the busway and that it's a long way off and also that City Council, particularly this member of City Council, will have the opportunity to have some input into the process; and I appreciate what the Port Authority is struggling under, a budget that, that is nowhere near the amount they would need for the former plan as well as all the controversy surrounding the proposal for the new bridge on both sides of the river. And I appreciate that the Port Authority is re-examining the whole thing, at the same time I want to let them know and I am letting them know that, that there are many people that need to be involved in the process, if there is going to be a change in the plan for the busway.

Mr. O'Connor:

The same issue as Mr. Hertzberg. I don't know that anybody -- I would hate to get into a position where Council, similar to the Market Street problem, we have been up and down and people come to us at the last minute. I don't know if there is a planning process or an organization and if there is, I would suggest that we strongly put Mr. Hertzberg on that because

he represents that area. You know, because I think it's only fair we know what's going on, instead of reading it in the paper, which unfortunately we -- that has been the situation.

Mr. Hertzberg:

I have been told that I will be included in these discussions and I'd also let them know, I'd like to have a presentation to City Council as soon as -- as soon as they're prepared on any kind of re-alignment and I have been -- I have had a tax force on West Carson Street, which strangely enough was comprised of some of the players in this new plan, PennDOT, Port Authority, and we were just looking at what to do with that whole corridor. So I'm kind of shocked here that something I was working on, a whole new kind of proposal for that corridor now has, has a kind of wrench in the middle of it, but we'll try to work through it.

Mr. O'Connor:

Is there -- let me ask you another thing. I don't know if there is anybody from the Mayor's office planning, and if there is, hopefully, you would be on that team, so we don't read about it in the paper as we have been for the last two years.

Mr. Hertzberg:

Well, we have a plan --

Mr. O'Connor:

Maybe a formal letter from Council recommending that.

Mr. Hertzberg:

We, in fact, have a member of our

Planning Department that's devoted a lot of hours to that corridor and has written up extensive requests for proposals on it and, of course, none of it took into account this latest plan or whatever it is.

The Chair:

Let's follow up on Mr. O'Connor's suggestion and ask the Clerk to please send a letter to the chairman of the Port Authority Board, Mr. Holmes, and the Director of the Port Authority, please remind them appropriately that they need to communicate directly to the Council and to the specific District Council member on this issue and other colleagues when there are major Port Authority transportation issues affecting the respective Council District as a courtesy and as just to -- in order for us to better make local government work appropriately.

Mr. Cohen:

I wanted to comment briefly on an announcement that was made last week that I think slipped by many people, and that is that newspaper recycling is going to be reinstituted in the City and I do want to congratulate the Mayor and the Public Works Department, particularly Mr. Lamar Barnes on that issue. We need to re-energize recycling in the City of Pittsburgh and I think that this will help do it. A large percentage of your waste is newsprint and for the last year or so, we have not been able to recycle newspapers. Now, we will be able to recycle them. I hope that everybody complies with that and I think we need to talk about increasing public awareness of our entire recycling program.

City Council just a couple of

months ago in the trash legislation that we had, we exempted all institutions from paying a fee for recyclables as a means of giving them incentives to recycle more. And after what happened with the prints violations last year, I think that it's been -- the whole recycling program has been tarnished somewhat.

Hopefully, this will give us an opportunity to re-energize the program and I'm just very, very glad that newspapers are being recycled -- will be recycled again in the City of Pittsburgh.

The Chair:

Other colleagues, I want to briefly state a few things to update a couple projects. I think, as you know, all of you have been helping with the project Safe Summer Adopt-A-School Initiative. This is one of the bike safety helmets that's been approved under state law. As you know, colleagues, this Council with the leadership of the Public Safety as well as the community has been very active in promoting bicycle safety among young children throughout the City of Pittsburgh for the last three years.

This year, we have a specific program at an adopted school whereby we are working with local schools throughout the City of Pittsburgh, both public and parochial, to make sure that we conduct an educational training session for elementary grade school children from kindergarten through 5th and 6th grade. And it's a five-step educational program, but, more importantly, as, as following the actual educational effort, we actually will be providing free one of these beautiful bike safety helmets and fitted properly on the child. We've done Morningside School already. It was very successful and

everybody had a great time. Community volunteers came out to help. This is a \$5 helmet that we're buying wholesale as a result of the initiative from the foundation in the corporate community who's lending their name and support. It is probably valued at 20, \$22, if you would go to a local K-Mart or an Ames or a Hills Department store. It is state law. And we, once again, will reiterate the need for parents to please take the extra effort and make sure your child, if they're on a bike or inline skating, wears an approved bike safety helmet.

I want to thank all my colleagues for their help in getting this project together. I want to very quickly run through some schools that have been adopted.

Morningside School was adopted. We've already completed that. That was 134 children.

Phillips Elementary School is 201 children that will receive the bike safety helmet.

Arlington Elementary School, 369 children.

Liberty School in Shadyside, with Councilman Cohen's help and Shadyside Hospital, 422 young children will be trained and fitted for the helmet.

Martin Luther King School, 514 young children, courtesy of the Allegheny General Hospital.

McCleary School in Lawrenceville, 276 children.

Beechwood School, Councilman Cusick is working on that. That's 574

young children.

Stephen's School in the West End, the Principal and Councilman Hertzberg have been active. That's a very large school, some 491 -- close to 500 young children will be trained to receive this beautiful helmet.

Chatham School, on Boni Street, Observatory Hill or -- yeah, Councilman Onorato, he and his staff have been very helpful in trying to really target all the North Side schools. There's 242 kids at Chatham School; 597 kids at Fort Pitt School in Garfield, Chaired by Councilwoman McDonald and myself. Eat-N-Park Restaurants, I think, is going to help co-sponsor and adopt that school.

Fulton School, across the street from my house in Highland Park, 530 students will be trained and provided with a helmet.

Sunnyside School, 300.

The Immaculate Conception, again, Councilman Cohen working with West Penn Hospital, about 350 kids.

Councilman Onorato has really bitten off a lot. He's working to raise money for North View Heights Elementary School, St. Peters Elementary School. Chatham School on the North Side was adopted by one of the local hospitals, Mercy Hospital; and I think he's working hard on John Morrow, Spring Hill, Spring Garden, and Horace Mann.

Again, we're still in the process of finalizing all of the money. That would bring close to 8500 helmets and training of young people. So I want to thank all my colleagues. We need to redouble our

efforts. This program is going on now as I speak until when school gets out, roughly the second week of June. So with that, I want to thank you, just remind parents, once again, of the state law and thank any volunteers and also many local companies that we will be honoring later on in the month. We'll bring some of the foundations and the hospitals and other people down who have been gracious enough in contributing money to help sustain this initiative.

So having said that, I want to thank all my colleagues for their leadership and their staff for helping to bring this project about.

Very quickly, the Sister City Project, I'd like to ask Mr. Mascio from the Clerk's Office to work with colleagues and try to get some assessment of our Sister-City relationship. I think we're -- I was a little bit embarrassed yesterday with -- we had an unbelievable delegation from a Sister-City of Omiya, Japan, that was here. They had a very distinguished delegation of their Mayor and Council President, a large group of delegates came with them, and a large number of young children. I think the community in Pittsburgh, both business and the community at large, was very supportive, but I think City Hall needs to get our protocol a little bit better together.

We have over ten sister-cities and it's growing in to be something very important and very, very important to the City of Pittsburgh, not only culturally but to our business and commerce and to our educational institutions; and I'd like to ask that we meet with the administration and others from the community and kind of formalize a little more what our protocol and what our activities will be as a

Sister-City partner with different communities around the world, including even -- I mean, it's embarrassing to get gifts and momentos from these delegates and we're handing them -- in fact, we didn't have anything to hand them yesterday. And Linda -- we were nice enough to put together a flag set with at least a Japanese flag on it.

I mean, it was a little bit embarrassing. I'm not suggesting we need to spend any public dollars, but I think if we can get our agenda together, we can approach the corporate, the business foundation and community and others to be supportive; but we've -- we've -- we've had some sister-cities identified but never officially through Council by way of Resolution. I think, at least in my time, I think I only remember a couple by way of formal Resolution. I think Metansas (phonetic) and Omiya, Japan. So I just think we need to meet formally and get that whole issue together and maybe we can ask John to help pull together that initiative.

And the only thing I'm going to end with, it's not too happy news, is the -- we, we prepared several of our colleagues, not majority, continued to be supportive of this referendum on the ballot, F.O.P., unfortunately continue in a very underhand bashing. I don't object to a legal pursuit of regarding their rights. I am a little bit upset that they continue to obstruct what I think should be the voter's right to decide this referendum question.

Now, Thursday, we're going to be represented in Philadelphia by legal counsel Mr. Goudani (phonetic) and Ira Weiss representing a challenge to the Petition. What we didn't know as of today, the F.O.P. also filed an injunction,

even thought they didn't have the courtesy through their lawyers to notify our lawyers, which is a little bit out of protocol for those legal counsels that are here before me; but, apparently, they've also filed now for an injunction, which I guess we'll attempt to get an expedited review of.

Now, I'm not sure when that Injunction Hearing is. We're already going to Philadelphia Thursday morning to defend the actual referendum. Now we have a little legal twist of a -- an actual injunctive relief that was filed. I'm not too pleased with that.

I just want to say -- and I'm sure my other colleagues are in the support of the Review Board -- that one way or the other, this question is going to get on the ballot, either through political activist counsel or by the citizen right to be heard through a referendum. So whether win or lose, whether it's this primary or in the fall, this is not an issue that's going away, at least not as long as I'm here and I'm sure my other colleagues. And more importantly, it's not going to go away in terms of the community support that is out there and would like an opportunity to vote this issue up and down.

I was hoping everybody would spend their time over the last month debating the merits of the Review Board, whether it be in favor or opposed, as opposed to this legal situation we're involved in, but we will rigorously defend the Petition, the referendum. We will object strenuously to any injunctive requests on the part of the F.O.P.

So, again, I guess the effort continues and one way or the other, the question will be decided, and if not on

May 20th, in the fall, but I believe we will be successful in challenging the F.O.P.'s attempt to circumvent the democratic right of residents in the City of Pittsburgh, decide this issue, whether it be by their injunction or any other means, I think we will prevail.

Any other matter to be brought before the Body?

If not, thank you all. And at this time this legislative session stands adjourned. Thank you.

ATTEST

LINDA M. JOHNSON-WASLER,
CITY CLERK.

PRECISION REPORTING SERVICES,
INC.
DENISE O'HARE-NARDULLI, RMR
STENOTYPE REPORTER

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO President
LINDA M. JOHNSON-WASLER.... City Clerk
JOHN R. MASCO Deputy City Clerk

Pittsburgh, PA
Tuesday, May 13, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance. And would you please remain standing for a moment of silent prayer so that we may have peace throughout the world. We're very pleased this morning to have a young student, Ashley Bell. Ashley lives in Councilman Onorato's district. She goes to Spring Garden Elementary School. She's in the fifth grade. She's 10 1/2 years old -- you got to get that half in there -- and she's accompanied by her mom, Carla Bell.

And Ashley's going to lead us in the Pledge of Allegiance. Ashley.

Ashley Bell:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you. Thank you, Ashley. We appreciate you and your mom coming down here this morning, being with us, and our City Clerk would like to present you with the flag of our nation, the flag of our City, with our thanks.

We have a lot of honored guests in the audience this morning, people who have worked very hard and need recognition. I also want to welcome all of the union representatives and the employees from the Beverly Nursing Home folks. They're here also to receive a proclamation regarding an important congressional hearing that's coming up shortly.

PRESENTATIONS

Mr. Cohen:

Would Madeleine Elish, the Ellis School students, the representatives from Public Works and the Friendship Preservation Group please come up? I want the big guys in back. You're a big

guy, Jack. Who are we missing? Okay.

Members of council, members of the audience, I'm very excited about this proclamation, I think you will be too. You know, we often talk here in Council about removing graffiti. In fact, we talked about it very recently with Dan Onorato's legislation, and how we can make this City clean, and how we can make sure that graffiti is not a blight upon our urban areas -- upon our neighborhoods but rather to clean it up. Now, we probably spend hours and hours talking about that. Well, I want to tell you about somebody who did more than talk about it, and that is Madeleine Elish and her schoolmates at Ellis School. They decided to do something about it. And they actually went out on their own initiative and cleaned up graffiti in the neighborhood of Friendship. And I want to give them a proclamation this morning because it's something that I think should be a model for, not just all young people of their age, but for everybody in Pittsburgh. And I'd love to read to you this proclamation.

MR. COHEN PRESENTS:

No. 1922 WHEREAS, like many urban areas, the City of Pittsburgh has had to address the problem of graffiti; and

WHEREAS, unlike other urban areas with this problem, the City of Pittsburgh is fortunate to count Madeleine Elish as one of its residents; and

WHEREAS, in 1996, Madeleine Elish, then a Sixth Grade student at Ellis School, marshaled several of her friends to paint over graffiti at four buildings in the neighborhood of Friendship; and

WHEREAS, the graffiti project organized by Madeleine Elish is scheduled to be repeated this weekend and is intended to be an annual event; and

WHEREAS, for this exceptional effort, Madeleine Elish was honored with the Prudential Spirit of Community Award, which is a national recognition program recognizing this country's top youth volunteers; and

WHEREAS, without the materials donated by the Friendship Preservation Group, and we have two representatives here today from that group, and the professional expertise of the City's Department of Public Works graffiti team, who do an excellent job, thanks for being here, this project would not have been possible.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes Madeleine Elish, her fellow volunteers, the Friendship Preservation Group, and the graffiti team at our Department of Public Works.

AND BE IT FURTHER RESOLVED that today, May 13, 1997 shall be declared Madeleine Elish Day in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. FERLO seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thanks so much. Let me introduce some of the people who are here today.

You may know one of Madeleine's parents and that is our own Eloise Hirsh, Director of Public Works. Herb Elish, who is here -- Public Works, listen to me. Did you know you had a new directorship? I hope Ralph Kraszewski isn't here. Director of City Planning. And Herb Elish, Madeleine's father.

We also have a number of Ellis School students and parents. And let me give it a shot. Elizabeth Ross, Britton Wean, Nell Cox, Rebecca and Sarah Zeidel, Alexis Sherman, Gillian Bernard, Rena Paris and Emily McNeil. Did we forget anybody? Okay. And we also have Janet Ocel -- you should have come up here, Janet -- who is an Ellis parent. And also we have George Bernard. Thank you both for being here.

We also have Jack Horgan who is the President of the Friendship Preservation Group and Cole Vanormer, who is a very active member of the Friendship Preservation Group and head of the Public Safety Committee, I believe, Cole. And we have Jack Barley from Public Works. And many members from the Public Works Department dealing with graffiti: Lester Chojnicki, Steve Pefferman, Tom Namiotka -- did I say that right? Good enough, right? Keith Klobuchir and Val Pawlos. Thank you all for being here. Why don't we do this, let's have the two Jacks come up here first and then we're going to present this proclamation to Madeleine. So, first let's do Jack Barley of Public Works.

Jack Barley:

Ladies and gentlemen, members of Council and our young volunteers from the Ellsworth community. It gives me great

pride and honor to recognize you today for your commitment to keeping your environment beautiful and continue the good work in the future.

I would also like to recognize the Mayor's efforts and City Council's efforts for their support of Councilman Onorato's legislation, which will enhance our efforts to combat graffiti throughout the City. And I'd like to recognize Councilman Gene Ricciardi, our Chairman of Public Works, who supports all our endeavors. Thank you.

Mr. Cohen:

Thank you Jack. Jack Horgan, President of the Friendship Preservation Group and the FPG, I believe, provided some of the funds for this to happen. Jack.

Jack Horgan:

On behalf of the Friendship Preservation Group, the members of the residents of Friendship and the communities surrounding it, I want to thank these young people for realizing the importance of volunteerism and how much it means to our community.

Thanks.

Mr. Cohen:

Thanks Jack. Madeleine, can you come up here please? I do want to sincerely congratulate you for taking your own volunteer time and getting a lot of your classmates involved in doing a community service. And congratulations on getting the recognition that you've gotten, and I'm glad you're getting recognition here in Pittsburgh. This is for

you. Congratulations.

Madeleine Elish:

I would just like to say just one thing. I may have planned this and thought it out and had the initiative to do it, but my friends were the ones who did it. So I think that they also deserve as much, if not more, of the credit than I do, because they were the ones that did it. Thank you.

Mr. Cohen:

You know when we were meeting in my office, I said, "Do you want to meet afterwards? We can ask questions about City Council" -- that sort of thing. And one of Madeleine's friends said, "No, we don't have time because Madeleine is running for class president, and this is just a campaign stop for her." I kind of elaborated a little bit but I think,

Madeleine, if you want to get into politics, think again, first of all. But secondly, good luck in your election. I'm sure you'll be elected class President and congratulations to all of you. Thank you. It's certainly a partnership of the City, community groups and the students. Congratulations, and let's get a picture, okay.

The Chair:

Is there a reason why the mom and dad are not in this picture?

Mr. Cohen:

Come on parents, all parents, even City employees.

Mr. Cohen:

Would the folks from Pittsburgh Cares please come up. You may recall that we last year had a proclamation for Pittsburgh Cares. And it was so successful -- the event was so successful, that is, that I wanted to do it again this year. They expect to have about 600 volunteers. And my wife and I volunteered last year for Pittsburgh Cares, and what they do is they go to many, many different locations all over the county and perform charitable work. And, as I said, it has been very, very successful, and I'd to read this proclamation and introduce the people who are here today.

MR. COHEN PRESENTS:

No. 1923 WHEREAS, Pittsburgh Cares is a non-profit organization which develops worthwhile short-term team community service projects.

AND WHEREAS, Pittsburgh Cares will hold its second annual Servathon, Pittsburgh Cares Day, on May 17, 1997.

AND WHEREAS, the Pittsburgh Cares Servathon, will utilize over 500 volunteers to complete 25 community service projects totaling 2,500 hours of community service throughout Allegheny County.

AND WHEREAS, the community service projects will include trail building and cleaning, planting flowers and vegetables, painting, housebuilding and repackaging food.

AND WHEREAS, the Pittsburgh Cares Servathon has set its fundraising goal at \$40,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the good work of Pittsburgh Cares and wishes it much success on the second annual Servathon.

MR. COHEN moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Thank you. As I said, this really is a volunteer organization that deserves to be recognized. Last year we went out to a place that was a home for disadvantaged children and we ended up playing softball. It wasn't very hard work, it was fun, but I think the kids had fun too. And I would like to introduce to you Carolyn Falk who is the Executive Director of Pittsburgh Cares to tell you a little bit about this year's project. Carolyn.

Carolyn Falk:

Thank you. First, I'd like to say that I'd love to have those girls on my team this Saturday. It was really amazing what they've accomplished.

I'm Carolyn Falk. I'm with Pittsburgh Cares. We're a non-profit organization that sets up year-round volunteer activities in the community. We usually do about 30 projects every month. And on this one particular day, we are utilizing 600 volunteers. This is double what we did last year. So, we're gonna to double the impact of what we did last year, and also double the impact with our corporate sponsors.

And today I was able to bring out some representatives today, from people who are sponsoring us on that day, as well as volunteering. We've got Karen Castelli, who is with Progressive Insurance. And they're going to be doing a project in the Hazelwood section of the City with Partners in Parks. And they're going to be going out all over Hazelwood and doing a big cleanup that day. We're expecting about 50 volunteers on that project alone, plus community volunteers that will be leading the Progressive Insurance people around the neighborhood.

Then we've got John Lopez, he's from Anderson Consulting. He'll be saying a few words as well. They're our major sponsor this year and they're going to be working on a house with Habitat for Humanity in Braddock.

And then we've got Paul Scott, who's with McCleren Hart. And they're going to be walking dogs -- homeless dogs with the Animal Rescue League.

So that's just a representation of some of the projects that we have that day, as well as some of our corporate sponsors. And I would really like to recognize them for the part that they're playing on Saturday. Thank you.

John Lopez:

Hi, I'm John Lopez with Anderson Consulting. I'd like to thank Carolyn for inviting me to be here.

Anderson Consulting is extremely proud to be the major corporate sponsor for Pittsburgh Cares Day. This partnership is really as a result of a partnership with our Community Action Team, which was

formed about two years ago, as a result of a need that many of us felt to give something back to the community without a way to do so. We've scheduled a team completely of volunteers that schedules quarterly events for our office -- employees, friends and families to give something back to the community for an afternoon -- similar to what we'll be doing on Saturday.

Some of our previous projects included working with Habitat for Humanity, the Make-A-Wish Foundation, the Mayor's office and several others.

We're really looking forward to this Saturday. We hope to have around 50 volunteers also. Again, we'll be working with Habitat for Humanity. And it's going to be a great event, we're looking forward to it and we're extremely proud to be working with this organization. Thanks again.

Mr. Cohen:

Thanks so much, John, with Anderson Consulting and I also want to thank Paul Scott of McCleren Hart. Thank you for sponsoring this. And Karen Castelli from Progressive Insurance. Congratulations to you.

If there is anybody who is listening or watching who would like to be involved this weekend, you can call Pittsburgh Cares at 471-2114, 471-2114. Or, just show up at 8:30 in the morning on Saturday at the IC Light Amphitheater and you'll have a lot of fun. Congratulations to all of you.

Let me give this to you Karen. Let's get a picture.

(Mr. Cusick took over as the Chair.)

The Chair:

Thank you, Councilman Cohen. Mr. Ferlo had to leave because of another engagement. At this time we'll go with Senior Interest Day. Would the people for Senior Interest Day please come up? You can come on through the back here.

Last week we celebrated the seniors and the volunteerism throughout the Senior Program. Yesterday, we got to celebrate another opening of a senior center -- well, the ground breaking of a senior center in Overbrook and that was real exciting. And today we're going to celebrate again for the seniors with Senior Interest Day.

MR. CUSICK PRESENTS:

No. 1924 WHEREAS, the month of May 1997 has been declared Older American Month with the week of May 12 through the 16th, 1997 being National Senior Center Week. AND

WHEREAS, Citiparks has served the Interests of Senior Citizens since 1957 and over 20,000 have received services and 86,000 seniors in the city can reap the benefits of 18 Senior Community Centers in the Senior Interest Program. AND

WHEREAS, the multipurpose mission of Senior Interest is to address the intelligent, physical, social and financial interests of the seniors.

AND WHEREAS, over 200,000 meals are served in our 18 Senior Centers keeping older Pittsburghers healthy and

socially involved.

WHEREAS, Senior Interest is committed to "Reaching Out", a door knocking campaign to the homes of seniors currently not receiving services.

AND WHEREAS, on May 5, 1997 the program honored 800 Seniors which have contributed 115,000 volunteer hours in Senior Centers in our annual Volunteer Recognition Gala at the Sheraton Station Square.

AND WHEREAS, on May 13, 1997 forty-five seniors will ascend to Harrisburg for Senior Rally Day in the rotunda of the Capitol and four seminars will be conducted in May at selected sites for seniors, family and friends giving practical information on services available.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby honors the Senior Interest Program, its participants and all seniors in the City of Pittsburgh and encourages all residents to become involved with the Senior Interest Program.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby declares May 13, 1997 as Senior Interest Day in the City of Pittsburgh.

THE CHAIR moved to adopt the resolution

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

First, I want to start by saying, thank you all for coming down today and

sharing what we consider a very important program to all Pittsburghers is the Senior Interest Program.

But more importantly, I want you all to know that this is sponsored by all the members of Council and we all appreciate and love you all a lot. And if I may have Vince Wilson and Marguerite Pasikin. Please come up and say a few words.

Marguerite Pasikin:

The Senior Center Program is a very good program for the older people. Lots of times as you get older, you get not too well. It's a really hard thing to get out of bed in the morning and get started. But if you have some place to go and some people to meet, it's a whole lot easier. It's a reason to get up and get out and do the things that have to be done. All the people at the center are your friends. You have a nutrition program every day and it's just a good place to go. They play cards and bingo and they go on trips and they do all kinds of things. It's a reason to continue to live and to exist with things. Do I have to do this? All right.

The Older Americans Month is designed and implemented in new logo entitled "Senior Interest". Developed and produced in a news letter written and produced by the seniors called "Harvest" Initiated a new basketball program at our Southside center on Friday mornings and they are starting a golf program at Schenley Park. Those who haven't played golf or who just want to learn more. Designed a new tennis program to be implemented in the summer of 1997 and created a new Senior Interest brochure.

They have also developed a pen

pal program between the seniors of Homewood and the children of Regent Square Elementary. A reading program between the seniors of Troy Hill and the preschool of City Parks located at Cully Recreation Center and the continuation of the mural program, which was recently featured in the Sunday edition of the Tribune Review.

There are lots of things for the seniors to do. Just because you get old that doesn't mean you have to just sit and vegetate. There are things that are out there for them to do.

The Chair:

Now, if we could have Vince Wilson. He's from Councilwoman McDonald's district.

Vince Wilson:

I finally arrived. I feel great about this because I'm pleased and I'm honored and I'm relaxed. I'm a prostate cancer survivor. For the last five months they took me off of medication. You know why? Because I've been going to the senior citizen lounge up here in Homewood. We have a great time. We share pinochle and I remember cards we played, but we got somebody here that's greater than I am -- he can remember -- like a photographic memory, if I get to that level I'll be doing something. But the thing is, we have a great fellowship with one another and all our talents come out through one another. We share all the knowledge and wisdom that is left to share to help make a better City. We know -- we think very carefully about any candidate running for public office, we think that. And we want the best results out of all the candidates. Like

we get the best out of Valerie when she comes to visit us -- not on election time, she comes around all the time. And we love her for that. And we hope throughout all the other senior citizen lounges that's happening. Because we feel a renewed strength in each other.

I'm wearing green today for growth. There's a lot of room for growth in our centers. And we got a list of activities that's growing and growing and growing. And we grow with it because we believe in it. We got a wonderful staff working with us. Anything that we feel that we could use to improve the program, you know it gets top consideration.

I work with a garden club. I was inspired by our lounge to do this at the Homewood House to work with a garden club. And, hey, I enjoy it. And we get the best out of everything we do with each other. So, we don't sit around empty handed, we always got something to do.

We were introduced to a new program at our Homewood senior citizen -- we were taught the art of fencing. The program was arranged from a collaboration with the Deltis Seniority. Implementation of a new fitness program in which seniors will receive individual training programs. These two pilot projects are scheduled for June '97. We already got one every Friday, which we love.

Designated a new out reach strategy entitled "Reach Out Pittsburgh" in which 584 seniors are personally contacted from an extensive door knocking campaign throughout the City. I knock on doors every time I'm out here in the streets or on the bus.

Develop new -- four new seminars for older Americans to address physical, financial, therapeutic needs of our seniors. You see a brochure attached. Created a new rhythmic dance program at the Rodgers School for the seniors in Northview Heights. Ya'll seen those Rodgers School students? Oh, beautiful.

Increase winter games programs by 30 percent which included a new ice hockey competition. Recently honored over 600 seniors in our annual volunteer gala. Created "Memories of Pittsburgh in Black and White" a project with the Rodgers School for Creative and Performing Arts. This project, which will be displayed this week at PPG features Pittsburgh structures which invoke special memories. The dialogue for this display was provided by the seniors.

And we bless every moment that we're together, because it is a joyful and created moment in our lives. It's not just growing old. It gets better by the years.

The Chair:

Thanks Vince. And now the Assistant Director Mary Esther Vanshura and we have -- I'm sorry, the Director is here also.

You want to come up, Director.

Mary Esther Vanshura:

Thank you for honoring the 86,000 seniors in the City of Pittsburgh. I hope that you find that the new initiatives have really embraced our new logo "Senior Interest" whether it's our new golf program at Schenley Park, our new tennis program,

our fencing program, an array of intergenerational programs.

I think you find that we have found that the seniors that we interact with on a daily basis, truly represent the fact that just because you retire does not mean you've tired of life. And that's what we are all about. We are about bringing the vitality of the City, and honoring not just the heritage that our seniors bring us so beautifully, but also to bring all the wisdom and the joy and the passion of living. And we thank you for coming today.

Faith Gallo:

I'd like to thank Council for the proclamation. I think it was well deserved. You heard from the seniors themselves -- what they are interested in and what they do. Thank you Vince and Marguerite. I don't think anyone could have said it better.

This is a very, very important group of citizens for the City of Pittsburgh. And they are about lots of things. And Councilman Cusick mentioned that this morning 45 of them got on a bus and went to Harrisburg. And we expect to grow-- the Senior Interest. We have a serious door knocking campaign, we're going to try to reach every single senior citizen in this City. And I think that under Mary Esther's direction we'll be able to reach that goal. Thank you.

The Chair:

Thank you. And thank you for your words, Vince, they were real nice. I think that we all realize that for some seniors the centers are a matter of life and

death. So thank you very much.

Mr. Cohen:

Thank you, Mr. Cusick. I just wanted to take a moment and thank you all for coming down and for participating in this program. It's just a wonderful program. And thank Faith Gallo for overseeing it. And Mary Esther Vanshura, my goodness, you could certainly hear the passion and the energy that she's put into this job. And I think it's a wonderful, wonderful partnership so congratulations.

Mr. O'Connor:

Again, I want to thank everybody for coming down. Every time I visit, you inspire me to keep going. Then I hear people say, "I can't wait to join the centers." So, it's really a tribute to all of you and all the hard work you do.

The Chair:

Okay. You want to get a picture real quick here. Thank you all for coming down.

MS. MCDONALD PRESENTS:

No. 1925 WHEREAS, on Monday, May 19, 1997, the Negro Educational Emergency Drive (NEED) will hold its thirty-fourth Annual Scholarship Drive at the Sheraton Hotel Station Square.

AND WHEREAS, since 1963 NEED has provided assistance in educational counseling to talented African-American students to attend college, business, trade and/or technical schools.

AND WHEREAS, NEED provides "last dollar" aid to fill the financial gap after all federal, state, and institutional aid has been exhausted. Since the program began, NEED has helped 15,555 students continue their education at an institution of higher education.

AND WHEREAS, NEED is facing a growing challenge to raise more funds to help the 300-400 talented students not receiving scholarships due to a shortage of contributions. Programs such as Adopt-A-Student, and Alumni Giving ("NEED 52") are being established to raise additional funds.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends NEED for its continued dedication to enabling students to obtain a college education. We also congratulate the program as it celebrates 34 years of scholarship support to the youth in the Pittsburgh area.

No. 1926 WHEREAS, on Thursday, May 15, 1997, Ms. Audrey 19 Glenn-Woods will be honored at the Providers 4th Annual Homeless Resource Conference at the University of Pittsburgh.

AND WHEREAS, Ms. Glenn-Woods started her career as an "indigenous worker" at Family and Children's Services in 1965. She was part of a program for women on public assistance hired by social service agencies in an attempt to get the women into the mainstream. She enrolled in the University of Pittsburgh through another government program. Audrey attended the School of Social Work for her Bachelors Degree and then in 1972 for her Masters in

Social Work (MSW).

AND WHEREAS, Audrey Glenn-Woods worked in a number of different areas within her field, excelling in all of them. She worked for eighteen years at Alma Illery Medical Center as Director of Social Services and later as Project Coordinator for the Health Care for the Homeless Project. She also worked at Community Human Services as Project Coordinator of the Families Facing the Future Project. She was employed at the Department of Welfare (where she was once a recipient), as Special Assistant to the Deputy Secretary of Western Region, and at the Community College of Allegheny County as Project Director of training for mental health staff of Allegheny County. She most recently worked for the Alzheimer's Outreach Center.

AND WHEREAS, in addition to these accomplishments, she managed to raise three children and is currently raising three grandchildren, while working for Alzheimer's Disease Research Center (ADRC).

AND WHEREAS, The Providers are comprised of homeless, formerly homeless, and human services workers dedicated to improving the quality of life for their clients through education and resource networking to find solutions for fellow Pennsylvanians experiencing crisis situations. The Providers goal is to offer forums, such as the Homeless Resource Conference, which act as a networking tool to improve the type of social service referrals.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City

of Pittsburgh, commends Ms. Audrey Glenn-Woods on her continued activism on behalf of the community. We also congratulate the Providers as they offer support to those in need in the Greater Pittsburgh area.

The Chair:

Motion to approve?

MS. MCDONALD moved to adopt the resolutions.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Mr. O'Connor has three proclamations.

Mr. O'Connor:

Would MADD representatives please come up?

The Chair:

You have to excuse me, I have a cold today.

Mr. O'Connor:

That's all right. We have Arlene Baxter -- what's your title, Arlene? Dr. Arlene Baxter is the Executive Director of MADD, Sherry Crotts, Mark Shallar, and Ron Joseph. I think we got everybody.

MR. O'CONNOR PRESENTS:

No. 1927 WHEREAS, the safety and welfare of all Pittsburghers is of prime

concern and deserves the utmost attention; and drunk drivers are causing death, injuries, destruction of property and tragedy to families of victims of drunk driving.

AND WHEREAS, Mothers Against Drunk Driving (MADD) was founded 17 years ago, and through wide acceptance of its precepts counts more than one million members, its volunteers across the nation dedicating countless hours to provide for victims and preventing further drunk driving tragedies, and serving a vital role in the enactment of more than 1,600 laws.

AND WHEREAS, MADD Allegheny/Westmoreland/Beaver Chapter is launching a summer long "KISS" (Keep It A Safe Summer) public awareness campaign in conjunction with RPS with headquarters in the Pittsburgh areas, to make the driving public aware of the dangers of impaired driving during summer holiday weekends, and summer vacations, and at a time when young people are out driving the roads.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend MADD and RPS for sponsoring this worthwhile project as we urge citizens to display the traditional red ribbons, MADD's symbol of safe and sober driving on their vehicles. I thought we declared that week but we didn't. I'm sorry -- will be declared MADD week in the City of Pittsburgh.

The Chair:

Motion to approve?

MR. COHEN moved to adopt the resolution.

MR. CUSICK seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Come on up and say a few words.

Dr. Arlene Baxter:

I want to thank Council and the City of Pittsburgh for recognizing MADD.

MADD does a great deal in the way of prevention and education. And today in downtown Pittsburgh, RPS has underwritten our taking this as Community Day. Downtown at lunch hour there will be an RPS MADD truck out at Station Square and will be giving out the red ribbons. Red ribbons are saying to everybody drive safe and sober, enjoy all of your summer holiday weekends, but designate a driver.

So for that we thank the City of Pittsburgh for recognizing MADD in this way and we'll hope to have a safe and sober driving summer.

Ron Joseph:

Good morning. I'm Ron Joseph, I'm with RPS and I just wanted to say a few words.

Our company is the second largest small package delivery company in America, and we've called Pittsburgh home for over ten years now. And we operate over some 6,000 vehicles throughout the country and obviously

safety is very important to us and making sure that safety on our nation's highways is critical.

And we appreciate the opportunity to be able to support an organization like Mothers Against Drunk Driving. We've been their supporter for the last two years for their holiday campaigns -- red ribbon campaigns, as well as their summer programs. And we think that their efforts to help improve highway safety have made the roads a safer place for all of us and we're just proud to be a part of that.

I brought along with us one of our safety ambassadors -- we call him, Mark Shallar. He's been a driver and he's operated the last 20 years and over 1.7 million miles without an at fault accident. He's typical of the type of people that operates for our company. And we're just proud to associate our professionals with MADD, an organization that will hopefully help improve highway safety for everyone. So, thank you.

Mr. Ricciardi:

Thank you, Mr. President. I'd like to take this opportunity to thank all of our guests today for addressing a very serious issue. Back in the 70's from the Southside, I had a friend who was killed by a drunk driver who crossed the medial strip. And just several years ago, my mother-in-law also was in a serious accident by a drunk driver who also crossed the medial strip.

So, I really want to thank you for all the work you do in this field and people have to realize that if you get behind a wheel of a car that you actually have a very dangerous weapon there if you're in any way driving under the influence of

either drugs or alcohol. And I really want to thank all of you for your fine work. Thank you.

Mr. O'Connor:

Geno, I wanted to mention, I asked Arlene -- I was under the impression the statistics were going down, and they have been. But it's leveled off, and you never know -- it could be starting going back up again. So, we really want to put a big push on it and bring the awareness out.

Mr. Ricciardi:

Well, I think that's very important, obviously, community awareness, education, prevention. That's very important and you know, that's getting it from the start. So, that's very, very important. But, at the same time, our courts have to realize that one gentleman who was driving that van, recently, I think that was his third or fourth DUI and he didn't even have a license. Our courts have to realize that this is a very serious issue and these people are hurting people and actually killing people. So they have to be very firm on their punishment. That's very important. But I want to thank all of you very, very much.

Dr. Arlene Baxter:

I have a patch of red ribbons, if any of you want to display a red ribbon.

Mr. Ricciardi:

Yes, thank you.

Mr. O'Connor:

Get these, guys.

The Chair:

Bob, did you get a picture? Mr. O'Connor, you have three more.

Mr. O'Connor:

Bill Burke and Ray Micknowski. Did I get it right, Ray? I'm sure everybody is familiar of these two gentlemen. They've done an outstanding job with the police memorial. Actually, I wish I had thought about it, we probably should have brought a picture over to show everyone. There was a dedication ceremony last July -- or August. It was a tremendous day for the City of Pittsburgh in memory of the fallen officers.

MR. O'CONNOR PRESENTS:

No. 1928 WHEREAS, recognition of the risks and sacrifices made by police officers organized in 1962 at the prompting of President John F. Kennedy when Congress set aside a special day in memory of law enforcement officers killed or disabled in the line of duty.

AND WHEREAS, the purpose of this observance is to call upon the citizens to pay tribute to the brave police officers who, through their fortitude, dedication and courage, have given their lives for the preservation of the public's safety, inspiring all of us to pause and reflect upon the dignity and value of human life.

AND WHEREAS, in a candlelight Vigil held on Monday, May 12, at 8:00 p.m. 254 brave officer's names, nine of whom were from Allegheny County, were added to the memorial.

AND WHEREAS, on Thursday,

May 15, flags are to be flown at half mast as declared by President Kennedy when he proclaimed May 15 as Police Memorial Day.

AND WHEREAS, all Pittsburghers should be grateful to the "men and women in blue" who risk their lives every day in this extremely hazardous profession, to protect all of us.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the week of May 11 through May 17, 1997 as "Police Memorial Week" in the City of Pittsburgh, and does hereby declare Thursday, May 15, 1997 "Police Memorial Day" in the City of Pittsburgh.

The Chair:

Motion to approve?

MR. HERTZBERG moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Bill, you've done an outstanding job and I can't say enough from all of us. What fortitude you had in building the memorial and the tribute, in bringing the awareness of those who have fallen and really give the ultimate sacrifice for all of us to preserve our city. I just want to congratulate you. Tell us a little bit about the program.

Bill Burke:

Thank you very much, Bob. I want to thank City Council for all their backing in the years that we've been preparing for this memorial. Last year the dream for the memorial came true when we had the dedication. This year we're adding nine more names to the memorial. Five are State Troopers and four are from the county, two from Munhall, one from the county and one from Ingram.

It seems that each year people go into their attics and find that their grandfathers, great-grandfathers, uncles, who have been police officers may have died in the line of duty. And we're putting their names over there. And without the help of City Council and seeing what we wanted for the officers who made the supreme sacrifice, and their backing in getting us the property over there in Clemente Park. It really has come true.

We've gotten calls on the phone that our memorial is in a little disarray because of the winter weather and everything. But for our memorial service this Saturday at 10:00 a.m., we will have new flags over there and we will have the nine names engraved. And then the pavers that the walkers and runners go through Clemente Park, these will be repaired during the summer.

And once again, Council, thank you very much for recognizing the officers of who made the supreme sacrifice and without your backing our dream for the officers wouldn't have come true. Thank you.

Mr. O'Connor:

Ray, I never heard you this quiet.

Ray Micknowski:

I'm going to be quiet this time.

Mr. O'Connor:

You must be running late.

Mr. Ricciardi:

If I may, Mr. President.

The Chair:

I'm sorry, Councilman.
Councilman Ricciardi.

Mr. Ricciardi:

I want to welcome our guests today and thank the families that have given the supreme sacrifice. And also a point that Mr. Frank Furher from the Southside has been very involved in regarding the project and the maintenance and very generous in his acts. And I want to make sure that he also receives one of the proclamations today. Thank you gentlemen.

The Chair:

Thank you, Mr. Ricciardi. Mr. O'Connor, you have one final one and you have one to be read into the record.

Mr. O'Connor:

Beth Koshinsky from the Squirrel Hill Coalition. Beth is here to represent the Coalition and we're honoring tomorrow night, former Mayor, Sophie Masloff. And I think all Council members will be there. And you're the Executive Director. And I was the honoree last year. Remember that proclamation you guys

gave me? I thought it was a roast instead of honoring me -- these guys really gave it to me pretty good.

MR. O'CONNOR PRESENTS:

No. 1929 WHEREAS, Sophie Masloff is a lifelong resident of Pittsburgh who grew up in the Hill District, attended Miller Elementary School, and graduated from Fifth Avenue High School.

AND WHEREAS, Sophie Masloff was sworn in as the 54th Mayor of the City of Pittsburgh on Friday, May 6, 1988 and was elected to a full four year term in November 1989.

AND WHEREAS, during her administration, Mayor Masloff cut the City's wage tax by more than a full one percent, she submitted a balanced budget each year of her term, and entered into an historic agreement with Allegheny County to construct a new public safety building.

AND WHEREAS, prior to becoming Mayor, Sophie Masloff served 12 years on City Council, where she served as Chair of the Committee on Parks and Recreation and Chair of the Cable Television Subcommittee, and was elected as City Council President in 1988, the first woman elected to this position.

AND WHEREAS, Sophie Masloff has continually been active in many civic, charitable, and social organizations such as the Variety Club, the Anti-Defamation League, the Community Relations Council of the United Jewish Federation, and the NAACP.

AND WHEREAS, the Squirrel Hill Urban Coalition will be honoring Sophie

Masloff at a dinner on Wednesday, May 14 at 6:30.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank Sophie Masloff for her years of service and dedication to the people of Pittsburgh, and congratulates her on being honored as the Squirrel Hill Urban Coalition's "Citizen of the Year".

MR. ONORATO moved to adopt the resolution.

MR. CUSICK seconded the motion.

Which motion prevailed.

Mr. O'Connor:

If you're watching out there, Sophie, we'll see you tomorrow night. I think most Council members hopefully will join us. I understand it's going to be a big dinner. Is it sold out yet?

Beth Koshinsky:

Not yet.

Mr. O'Connor:

Not yet -- just a couple more tickets left. So, we'll see you tomorrow night. Come on up, Beth.

Beth Koshinsky:

I would like to thank Council. It's also the Coalition's 25th anniversary as being a community organization. And when the nominating committee looked at the 14th Ward citizens, it was very easy to select Mayor Masloff because she put in

25 plus years of community service and is a true public servant not just a politician.

I know she did want me to extend also the words of thanks for special messages that where sent to her via Councilman Sala Udin, Councilman Onorato, Councilman -- Councilwoman McDonald, Councilman Cohen and also Councilman Bob O'Connor. So on behalf of Sophie, thank you very much.

Mr. Udin:

Thank you, Mr. President. I would like to have my name among the long list of people who are honoring former Mayor, Sophie Masloff. Not only as a former resident in the Hill District where she grew up and went to school, but as a Mayor for the City initiated many of the programs that helped start and sparked the revitalization of the Hill District. So, she has made a very long and valuable contribution to this city and I'm proud that the Coalition has named her the person of the year.

Mr. Cohen:

Thank you, Councilman. I also wanted to congratulate Sophie Masloff for being honored this year. She really has given so many years of service and such commitment and dedication to the City of Pittsburgh. I certainly enjoyed working with her when she was Mayor of Pittsburgh.

And I also want to congratulate the Squirrel Hill Coalition. I don't know if the people who are watching know how much the Squirrel Hill Coalition does. I mean everything from the Citizens Patrol to zoning issues to beautification issues, the

litter cleanup -- you name it, the Squirrel Hill Coalition does it. Not to mention mediating a lot of issues and potential disputes in the neighborhood.

And, finally, want to congratulate Beth Koshinsky for her inaugural year at the Squirrel Hill Coalition and for doing such a fine job. Thanks for coming down.

Mr. O'Connor:

I don't know if you're aware, I know Sophie is starting to do commercials for Squirrel Eyetique hearing aids and eyeglasses. So she may be -- she will continue to be quite a celebrity in our City.

The Chair:

I think we would all agree that Sophie's been a real inspiration to all Pittsburghers and we thank her for years of services.

Mr. Onorato:

Mr. President -- to be read into the record.

The Chair:

We have two to be read into the record, one from Councilman O'Connor too.

MR. O'CONNOR PRESENTS:

No. 1930 WHEREAS, since 1896 the Colfax School has been educating the ever-changing population of Pittsburgh.

AND WHEREAS, as part of a community which has been for a century a destination for many people from around the world as they begin their life in

America.

AND WHEREAS, the Celebration of Cultures sponsored annually by Colfax School recognizes this tradition, embraces its role to perpetuate it, and seeks to be an example to the community for enlarging this tradition and to create and enhance a culturally diverse learning environment.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, May 21, 1997 as "Celebration of Cultures at Colfax School Day" in the City of Pittsburgh.

The Chair:

Motion to approve?

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. ONORATO PRESENTS:

No. 1931 WHEREAS, The Northside Chamber of Commerce celebrates its 100th Year of existence on May 22, 1997.

AND WHEREAS, The Northside Chamber of Commerce was formed from the Northside Board of Trade. It was incorporated on May 22, 1897.

AND WHEREAS, The Chamber has had several name changes over the course of its history. At one time the group name was the Allegheny Chamber

of Commerce in honor of Old Allegheny City. On October 9, 1909, this was changed back to the Northside Chamber of Commerce. Then again in the 1970's the Board of Directors voted to change the name back to Allegheny Chamber of Commerce in hopes that this would upgrade the image of the organization. Due to confusion over this name (the public assumed that the Chamber served the County) the name was changed back to the Northside Chamber of Commerce in 1991.

AND WHEREAS, the Northside Chamber's Executive Director of fifteen plus years resigned in approximately 1985 and the Chamber has had three Executive Directors between that time and 1987.

AND WHEREAS, Fannie Dunn was hired as Executive Director in September 1987. Additionally the group's mission statement was reviewed and its By-laws were revised in 1987. The By-laws were again revised in April of 1993.

AND WHEREAS, in 1988 the Northside Chamber of Commerce changed from its combined general membership luncheon and Board of Directors meeting to bi-monthly general membership luncheons with board meetings held on the alternate months.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the Northside Chamber of Commerce on its 100th Anniversary.

The Chair:

Motion to approve?

MR. ONORATO moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. Udin:

There's one more, Mr. President.

The Chair:

I'm sorry, Mr. Udin, I didn't have you on the list here. I apologize. Is that Jim's? Beverly workers?

Mr. Udin:

Yes.

The Chair:

Yes.

Mr. Udin:

This is a bill that Council has taken action on before in principle, relative to the support of the workers of Beverly Enterprises.

The Chair:

If I could interrupt you first, Councilman. There are some guests here from Beverly Enterprises. Bea Sutton from Fayette Health Care -

Mr. Hertzberg:

They're against Beverly, not from them.

The Chair:

Right. Sharon Dagon from Murray Manor; Connie Sanco from the Borough of Monroeville; Tom Hoffman and Neil Bisno are union reps from the Service Utility International Union.

Mr. Udin:

I'll read the resolution and then we'll hear from the representatives.

MR UDIN PRESENTS:

No. 1932 WHEREAS, corporations that operate in our community, particularly those that receive taxpayer funding, have an obligation to obey all applicable laws and regulations and a responsibility to treat employees with fairness and dignity.

AND WHEREAS, Beverly Enterprises, an out-of-state corporation that receives millions of dollars in public funding every year, and employs many City of Pittsburgh residents, has repeatedly been prosecuted by the National Labor Relations Board for serious violations of the legal rights of employees in Pennsylvania, including the illegal so called "replacement" of nearly 500 nursing home workers in April 1996.

AND WHEREAS, Beverly's blatant violations of the law recently led Federal Judge D. Brooks Smith to take the extraordinary step of ordering Beverly to reinstate to their previous positions all of the illegally "replaced" employees who have been unemployed or under-employed for over a year.

AND WHEREAS, Representative Bill Coyne, Frank Mascara and Lane

Evans have scheduled a town meeting in Pittsburgh on Monday, May 19, 1997 to investigate Beverly's illegal activities and to gather information in relation to proposed federal legislation that would bar Federal contracts for serious labor law violators such as Beverly Enterprises.

AND WHEREAS, the Labor Committee of the Pennsylvania General Assembly has also scheduled hearings next month to investigate the situation at Beverly's Pennsylvania facilities.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares Monday, May 19, 1997, "Justice for Beverly Workers Day" in the City of Pittsburgh.

AND BE IT FURTHER RESOLVED, that the Council hereby calls upon the United States Congress, the General Assembly of Pennsylvania, and the office of the Governor to immediately take legislative action to ensure that companies wishing to receive public funds and/or public contracts comply with all applicable laws and regulations.

AND BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, hereby directs the City Clerk to transmit copies of this Resolution to the offices of the Governor, both leaders of the Houses of the General Assembly, and the leaders of both Houses of the United States Congress.

The Chair:

Can I have a motion to approve?

MR. ONORATO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Neil Bisno:

My name is Neil Bisno, I'm Vice President of District 1199P of the Service Employees International Union. I'd like to thank Council President Ferlo, Councilman Udin and the Counsel for their support on this important issue. And I'd just like to introduce a couple of the Beverly workers recently reinstated through the court order after about a year of being illegally unemployed -- illegally fired. Bea Sutton from Fayette Health Care in Uniontown.

Bea Sutton:

I've been employed at Fayette Health Care Center for almost seven years as a licensed practical nurse. In 1986, 17 workers at Fayette Health Care Center were illegally fired for wearing -- just wearing union buttons. It took them about three months before they got their jobs back. But this flagrant violation of labor laws is what sparked the first consolidation of the National Labor Relations Board cases against Beverly, known as Beverly One. What Beverly did to workers in 1986 at Fayette Health Care Center, they've done on a larger scale to approximately 500 workers across this state.

When we got into this fight, we knew we had a battle with Beverly of Arkansas, but we didn't know that the very laws that were supposed to protect us were going to go against us. And that we would

also have a fight with the lawmakers and the judicial system to see justice prevail.

A company who continues to break the law should not be allowed federal or state contracts. These are our tax dollars, every one of us. I'm a taxpayer the same as you are, and I don't want to see my tax dollars going to law breaking companies.

Beverly just uses these tax dollars to justify their continued law breaking. There are no excuses. There is no justification and there should be no federal contracts or state contracts for law breaking companies. Thank you.

Neil Bisno:

Sharon Dagon from Murray Manor in Murrys ville.

Sharon Dagon:

Good morning. On behalf of the Beverly workers and the SEIU Locals 585, 668 and 1199P, I want to thank you for signing on to this resolution and passing it.

We're one step closer to bringing Beverly Enterprise to justice for the hundreds of labor law violations against us. And bringing justice to us, the workers, so that we may again provide the care for the residents and patients that they so richly deserve. Thank you.

Neil Bisno:

I'd just like to thank the Council again. The action here today is part of really a growing movement among legislators and the general public to stop the outrageous practice of, on the one hand, the government of prosecuting

companies like Beverly that, repeatedly and over a period of years, show blatant disregard for the law and for the rights of working people. And, on the same time -- at the same time, dole out millions and millions of dollars of our taxpayers funds.

Beverly receives about 70 percent of its revenue from taxpayer funds, including a major contract with the federal government to provide care to our veterans. And, we believe, and we know that you'll agree, that our country and our state and our community -- our seniors, our veterans deserve better than Beverly Enterprises.

And I'd like to invite each of you to join us on Monday, the 19th, just across the street at the Courthouse, where Congressman Coyne, Congressman Mascara, Congressman Evans from Illinois -- a number of guests will be conducting a Congressional town meeting with the workers, family members, legal experts and union leaders from 10:00 to 1:00 in the gold room at the County Courthouse. And then at 1:30, we're going to be holding a rally for justice for all Beverly workers. We'll be joined by union leaders and workers and community activists from all over Pittsburgh and we certainly would invite each of you to join us to participate in that event. We thank you again for your support.

The Chair:

Thank you, Tom. Thank all of you for coming in today.

That will conclude our read and adopted. If there's no objection, we'll move along to presentation of papers.

MR. COHEN PRESENTED:

No. 1933 An Ordinance amending the Pittsburgh Code Title 9 Zoning, Article 3, Chapter 921, Section 921.02, Zoning District Map No. 16 by changing from R4, multiple family resident to R2, two family resident property bounded by Emerson Street the northern boundary line of Lot 2 in the Venebel plan and Kentucky Avenue 7th Ward.

Which was read and referred to the Committee on Planning, Zoning & Land.

MR. COHEN moved to suspend Rule 8 by providing for consideration of the bill until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda tomorrow. This is a rezoning and it just needs to be sent over to the Planning Commission. Thank you.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MS. MCDONALD PRESENTED:

No. 1934 Resolution authorizing the Urban Redevelopment of Pittsburgh to acquire that property in the 11th Ward of the City of Pittsburgh owned by the U.S. Department of Housing and Urban development and designated as block and lot 83 N 124 in the Deed Registry Office of Allegheny County.

No. 1935 Resolution approving execution of a disposition contract by and between URA and East Liberty Development, Inc., and the Community Builders, Inc., for the sale of block 83 N

lot 124 in the 11th Ward.

Which were severally read and referred to the Committee on Housing, Economic Development & Promotion.

MR. O'CONNOR PRESENTED:

No. 1936 Resolution adopting official sewage facility plan for LTB Southside works bounded by East Carson Street, South 25th Street, Monongahela River, back to East Carson Street in the 16th Ward.

MR. ONORATO PRESENTED:

No. 1937 Ordinance amending the Pittsburgh Code Title 9, Zoning District Map 9 by changing from R2, two family resident district to C3, commercial district certain property located east of Saw Mill Run Boulevard, between Maytide Street and Saint Norbet Street and the 32nd Ward.

No. 1938 Resolution approving a conditional use exception under Section 99301A-A9 of the Pittsburgh Code, as amended to Carnegie Mellon University for authorization to construct a three-story and basement 95,000 square foot Performing Arts Center known as the Pernel Center for the Performing Arts located on the campus of Carnegie Mellon University at 5000 Forbes Avenue on property zoned IC Institutional Civic District 14th Ward.

Which were severally read and referred to the Committee on Planning, Zoning & Land Use.

MR. RICCIARDI PRESENTED:

No. 1939 Resolution granting unto Cassidy Pierce Company an encroachment to construct, at their own cost and expense, a parking area on Island Avenue in the 27th Ward.

No. 1940 Resolution granting unto Lynch & Associates Architects an encroachment to construct and maintain, at their own use -- own cost and expense, a handicap ramp with ornamental rails and two lamp posts on 2338 East Carson Street in the 16th Ward.

MR. UDIN PRESENTED:

No. 1941 Resolution providing for the issuance of a warrant in the sum of \$50,000.00 to Andrew W. Forsyth, Jr., guardian of the estate of Michelle Trice, in full and final settlement of an action filed alleging failure to protect Ms. Trice.

No. 1942 Resolution providing for the issuance of a \$1,391.00 warrant, in favor of Stephen Lapalo, Jr., in settlement of claim for an accident involving a City EMS vehicle.

No. 1943 Resolution providing for an Agreement with the Port Authority 3 of Allegheny County which grants permission to construct a permanent drainage easement along the southerly edge of the City owned property in the 20th Ward on Glenmar Street lot and block 20 B 34.

No. 1944 Resolution providing for the conveyance by the City of Pittsburgh of certain property under Act No. 171 of 1984 entitled "Second Class City Treasury Sale and Collection Act".

(Mr. Ferlo returned.)

The Chair:

The Chair has no papers to present. Moving on to unfinished business, reports of Special Committees. Any matter to be brought before the Body? Hearing none, moving to Reports Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1945

Report of Committee on Finance and Budget for May 7, 1997 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1898:

Resolution Providing for an Agreement with Consultants for the design and implementation of City-Wide training programs. Total cost not to exceed \$30,000.00.

Which was read.

Also,

Bill No. 1899:

Resolution Authorizing the issuance of a warrant in favor of Jerry Cavalovitch for use in making change at the Traffic Court window. Cost not to exceed \$500.00.

Which was read.

The Chair:

You have heard the reading and title of the bills. Is there any discussion?

Hearing none, the bill is ready for final action. All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Would the clerk please call the roll?

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo, President
Mr. Onorato	

AYES Seven **NOES** **None**

All of the bills, having received the legally required number of votes, have been approved finally.

MR. RICCIARDI PRESENTED:

Bill No. 1946

Report of the Committee on Public Works, Water and Environmental Services for May 7, 1997 transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1892:

Resolution Granting unto Three

Rivers Brewing Company an encroachment to construct a sidewalk cafe on a portion of right-of-way of the sidewalk area at 2837 Smallman Street in the 6th Ward.

Which was read.

Also,

Bill No. 1893:

Resolution Granting unto Bruno Katz an encroachment to construct a parking area and fence on Milo Street in the 19th Ward.

Which was read.

Also,

Bill No. 1895:

Resolution Granting unto Jake River Partners, an encroachment to construct a rail line crossing on Railroad Street in the 2nd Ward.

Which was read.

Also,

Bill No. 1896:

Resolution Granting unto Tarasi Law Firm, an encroachment to construct a three planter on the sidewalk area on 510 Third Avenue in the 1st Ward.

Which was read.

The Chair:

You have heard the reading and title of the bills. Is there any discussion?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the clerk please call the roll?

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo, President
Mr. Onorato	

AYES Seven NOES None

All of the bills, having received the legally required number of votes, have been approved finally.

MS. MCDONALD PRESENTED:

Bill No. 1947

Report of the Committee on Housing, Economic Development and Promotion for May 7, 1997 transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1875:

Resolution Amending Resolution No. 104, effective March 24, 1997, entitled "Resolution providing for an Agreement with various community organizations for operational/administrative expense, for the benefit of

the residents of the City of Pittsburgh, at a cost not to exceed \$129,250.00" so as to delete three projects, Central Northside Neighborhood Council and Central Northside RIF and add five projects, Ebenezer Development Corp.; Macedonia Family & Community Enrichment Center; New Light Temple Scholarship Project; Uptown Community Action Group; and Warren Community Outreach. And increase the amount appropriated from \$129,250.00 to \$234,250.00.

Which was read.

Also,

Bill No. 1876:

Resolution providing for an Agreement with various community organizations for operational and administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$1,171,050.00.

Which was read.

Also,

Bill No. 1877:

Resolution providing for an Agreement with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$1,121,050.00.

Which was read.

Also,

Bill No. 1878:

Resolution providing for an Agreement with the Pittsburgh Partnership for operating and/or administrative expenses of their agency involved in a variety of community/economic development activities at a cost not to exceed \$340,000.00.

Which was read.

Also,

Bill No. 1879:

Resolution providing for an Agreement with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City, at a cost not to exceed \$540,000.00.

Which was read.

Also,

Bill No. 1880:

Resolution providing for an Agreement with the Health Education Center for operational/ administrative expenses of the agency involved with providing various health-related services to low income residents of the City of Pittsburgh, at a cost not to exceed \$30,000.00.

Which was read.

Also,

Bill No. 1881:

Resolution providing for an Agreement and Contracts with Consultants and Vendors to assist the City in improving its Citizen Participation Process, at a cost not to exceed \$215,000.00.

Which was read.

Also,

Bill No. 1882:

Resolution providing for an Agreement with Byrd Brown law offices for legal representation as the solicitor of the Pittsburgh Commission on Human Relations in 1997, cost not to exceed \$20,000.00.

Which was read.

Also,

Bill No. 1883:

Resolution Amending Resolution No. 29, effective February 7, 1997 as amended entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of HUD for a grant in connection with the 1997 Community Development Block Grant Program" so as to adjust line items in various departments and to add chart field numbers to all line items.

Which was read.

Also,

Bill No. 1913:

Resolution providing for an Agreement with the Jewish Health Care Foundation, to provide administrative and operating expenses, housing and housing related supportive services to persons with HIV/AIDS and their families, at a cost not to exceed \$445,230.00, and also authorizing the Department of City Planning to charge from time to time costs related to the administration of the HOPWA program, at a cost not to exceed \$13,770.00. Total cost for this project not to exceed \$459,000.00.

Which was read.

Also,

Bill No. 1914:

Resolution authorizing and directing the City Controller to deposit monies from the Department of Housing and Urban Development or other sources into the HOPWA Trust Fund and authorize the use of said monies for administrative and operating expenses.

Which was read.

The Chair:

You've heard the reading and title of the bills. Is there any discussion? On two bills, I had spoken to a couple of colleagues, bill 1879 and 1878. These are the annual allocations to the Pittsburgh Partnership Board, \$340,000.00 and the various community based groups under the ACTBO (inaudible) Umbrella of \$540,000.00.

It's my understanding, since we last talked, that there was a retreat held by the Pittsburgh Foundation of the Partnership in the last week. None of us, I don't

believe -- including Councilwoman McDonald -- I don't think any of us was extended an invitation to attend.

Basically, there was a decision made to, basically, rewrite and change the whole manner in which these Neighborhood Community Development Corporations will be funded, if at all, in the future. And I just think, based on discussion of Councilman Ricciardi, Mr. Onorato, and others, spoke about last week, that we should recommit this and maybe have a meeting directly with the Partnership Board -- the Pittsburgh Foundation.

I, personally, don't want to agree to fund to ACTBO (inaudible) Group so I know what's going to happen to the Community Development Groups, especially those that have a strong track record at doing housing and commercial development.

So, I think it's very much up in the air and I think we're being kind of left out of the decision making process. We have spoken at length in this Council. Some of us are fortunate enough to have neighborhoods that we represent where there's a strong working Community Development Group that has a good track record. Other neighborhoods that we represent, may lack the actual Community Development Group and that's partly why there's the ACTBO (inaudible) Funding.

But I really think we need to recommit these and go back to the drawing board, if there's decisions now being made not even to fund this. We have to be a player -- this Council. We're talking about close to a million dollars of funding and we -- this Council -- I know everyone of

my colleagues spends an awful lot of time everyday working on development issues in our district, be they commercial or residential. We need to be a player in this process that's going on right now.

Mr. Ricciardi:

Thank you very much, Mr. President. I agree with you fully. Hopefully, there's no objections by Ms. McDonald, whose Committee the two bills are in.

I had stated last week, also, that I had believed that we needed to be on the Board of Directors of the Pittsburgh Partnership. The overriding issue is, that these are tax dollars, be it either federal, operating or capital, no matter how you categorize them. But we need to have more input on how the dollars are spent. We need to make sure that the CDCs are properly represented. We also need to make sure that the projects that community groups are pursuing, are acceptable to the community at large. Because, obviously, everyone has their own self-interest. And this Council as a Body and, in particular, of Council members, have the overriding responsibility of looking at the entire picture.

So, if there's no objections by Ms. McDonald, I would like to make a motion to recommit both bills.

The Chair:

That's 1878, 1879.

Ms. McDonald:

I don't have a problem with recommitment. The only question I would have is that would there be any problems

with existing organizations that are already set up to have this money -- to have monies funneled to them through PPND? Is it going to jeopardize a cash -- be a cash flow problem to other organizations that are already slated to get the money?

Mr. Ricciardi:

I don't think an additional week, to be perfectly frank with you, will be a problem. I mean, just look at the bureaucracy itself in terms of paperwork -- another week us having a discussion on.

But I think Mr. Ferlo's raised a very important point, and that is regarding the retreat. And if the overriding policy of funding has changed in any way, it really should have been brought to our attention.

The Chair:

Just on the Councilman's point --

Ms. McDonald:

I have no problem with it as Chair of the Committee to recommit it to tomorrow's standing Committee meeting and we can vote. I don't know exactly what type of discussion we're going to have within a day. There probably needs to be other people at the table.

I would ask Council President Ferlo, is there -- do you want to initiate -- not a public hearing but a post agenda? Which -- what is going to be the form in which we can adequately discuss our issues?

The Chair:

I would suggest, initially, since

we're recommitting it for tomorrow, that we ask the clerk to notify the Pittsburgh Foundation, the PPN, Pittsburgh Partnership Board officers to be here.

The concern in question you raise is exactly the reason why I think it needs to be committed. Because my understanding is that they pretty much have decided that they may not even fund, necessarily, the Community Development Groups under the Pittsburgh Partnership umbrella with our \$340,000.00. That they may actually eliminate, or not even fund, the groups that are out there.

I want to know what's going on, because it indirectly relates to the ACTBO (inaudible) Allocation, also. I mean, the first good housing that we've done in Lawrenceville, the new housing construction has been done by the Lawrenceville Development Corporation. Are they going to be defunded under this new scheme?

I mean, we're not even a player -- it's our money and there's a lot that's going on in terms of the reconfiguration of these neighborhood groups. Some of which I support. I am very much lobbying to see some changes made. But we're the odd person out here in terms of we're paying the bills and we're not even invited to the table to discuss what's gonna happen in our neighborhoods.

So, that's kind of the spirit of what the discussion would be about. Any other discussion? All in favor?
Which motion prevailed.

The Chair:

Thank you. Any other comments

on any other bills? Hearing no other discussion, a roll call vote. If you're in favor of the bills, please vote aye when your names are called. If you're opposed, vote no.

Will the clerk please call the roll on the remaining bills?

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo, President
Mr. Onorato	

AYES Seven **NOES** None

All of the bills having received the legally required number of votes, have been approved finally.

MR. CUSICK PRESENTED:

Bill No. 1948

Report of the Committee on Parks, Recreation and Youth Policy for 1948 for May 7, 1997 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1871:

Resolution providing for an Agreement with City Source Associates for the purpose of providing professional services for the 1997 Community Enrichment Program for the Department

of Parks and Recreation. The total cost not to exceed \$130,500.00.

Which was read.

The Chair:

You've heard the reading and title of the bill. Is there any discussion? I want to respectfully vote no just procedurally on this bill. I do not understand why we have to fund an outside agency to pay our instructors. I don't understand why the Parks Department can't submit invoices for all these teachers, instructors, artisans -- whoever they've hired at the community enrichment level. They should come up here on a Wednesday -- they should be on the Parks agenda. We should pay them as an invoice.

There was an insinuation made by the Director that somehow the problem is in the Controller's office not getting people paid. Nothing could be further from the truth. My experience is as soon as the departmental invoice gets down to the Controller's office, it's paid in three or four days. I've never had a problem with the Controller's office has been slow in paying on the invoice. So, I don't know where that commentary came from.

But I know Councilman Hertzberg made a good point about let's not be in any way disruptive. But I just do not understand why we can't pay. Some of these instructors haven't been paid in five or six months. It's just very frustrating, I don't understand it. I'm going to respectfully abstain on that bill.

Mr. Hertzberg:

I wouldn't mind any kind of efforts

to get to the bottom of the problem and try to avoid this in the future. But, I think, for the present, if we want to keep this great program running the way it's running now, since we've started allocating the money to City Source -- or whatever their name was before that, people have been getting paid promptly.

We've been retaining these instructors on a part-time level. And we're able to, through the utilization of what is -- compared with the services we get a small amount of money, we're able to do an awful lot with it.

I hope everyone will stick with it at this level. We certainly have the opportunity in our next budget in 1998 to reexamine the approach and keep it all in-house, if it can be done, and people can get paid expeditiously.

The Chair:

Well, I'll back up a little and vote for it. But I would ask maybe the Controller's office to respond --

Mr. Ricciardi:

Thank you very much. With all due respect to Councilman Hertzberg, I think our Finance Chair, Sala Udin, really touched upon a very important point at the last Committee session. And that is that, just because we've done something in the past or we've done it over the years, doesn't mean that is has to continue that way.

I spoke to the Deputy Controller, Tony Pokora, and he said there's no problem in the Controller's office that these type of DIs -- Departmental Invoices can move within a few days. I've

requested some information and, I do apologize, I didn't get a chance to meet with our own budget office who has some information for us.

This is another example that, I believe, that this bill needs to be recommitted. One week in no way is going to hurt anyone in getting paid. And we have, for once and for all, need the Controller to be at the table with the Director of Parks and Recreation, to see why we cannot pay these bills.

Plus, there's another very important point. Now, I'm not saying this is occurring, but can anyone at this table tell me are we paying administrative fees to City Source Associates out of this 130 some thousand? Because, if we are, to me all we're doing is taking some dollars and instead of putting them into the teachers and into the program, we're actually putting them into staff and into indirect costs. If someone can answer that question, yes, I'll be able to vote for this today.

But, with all due respect, and the Chair of the Committee is not here -- with that stated, I would like to make a motion to recommit this bill for discussion tomorrow. One additional week is not going to hold it up.

You know, we could ask these questions, but if the administration and the appropriate people do not give us the information, then they put our backs against the wall -- like we have to pass the bill and if you don't this is what occurs. No, it's the other way around. We will pass bills, but get us the information.

And, I think, I would really like to

ask Deputy Controller Tony Pokora to be at the table. And, if I'm wrong, if we should do it -- continue to do it through City Source Associates, I'll be the first to vote for the bill.

But, we need a lot of important questions to be answered. I want to see the money going into programming and not into any type of administrative costs, if there are administrative costs. Motion to recommit.

The Chair:

There's a motion on the floor. Is there a second?

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Second for discussion.

Mr. Cohen:

Thank you, Mr. President. I don't have a problem recommitting the bill if it will help us get to the bottom of the issue. Councilman Hertzberg raises a good point. And I hope that in the end we will pass this bill, of course, because it's a very important and good program. But if we can get some answers and try to solve this problem in the future, I think it's worth another week.

Mr. Hertzberg:

I think Councilman Ricciardi has this backwards. Councilman Ricciardi, I think you have this situation backwards. When we were doing it the old way, we had a problem. That's when we had a

problem. People weren't getting paid, the program was having problems. We changed methods. Now, what's all going on behind the scenes, I don't know. I know this, I know we have a Parks and Recreation Department that on a -- every year has a percentage decrease in expenses of between 10 and 25 percent. So, --

Mr. Ricciardi:

But Councilman --

Mr. Hertzberg:

I might -- I might speculate that they don't have sufficient manpower to handle this in the way that it needs to be handled. That might be the reason. I mean, we can look at it -- I mean in the interim though.

The program runs, it services a lot of children, adults, it works well. And I'm not going to hold it up one week, and I don't know what the impact of one week will be. I don't know if that will mean we may lose one, two, three, four, five good teachers and instructors. I can't vote to recommit this.

Mr. Ricciardi:

But, Councilman Hertzberg, that's the issue. If there is a problem, we should know what the problem is. If it's one of bureaucracy and checks and balances that need to occur in City government, that's fine. But if it's a problem of either just people not moving paperwork, or maybe not doing their job properly, that should also be pointed out to us. And I think it could open up the bigger issue -- vendors, contractors and other people not getting paid within a reasonable time. So, let's at

least address the issue.

And, with all due respect, there isn't another hidden agenda, there's none whatsoever. I've asked these questions publicly. And, secondly, is just that there are unanswered questions and I don't have the answers.

For example, is there an administrative fee being paid to City Source Associates to handle these dollars? And if there is, I think, we need to know that.

And, with all due respect, I don't see us losing four or five programs or teachers over one week. I mean, it's just not going to occur.

Mr. Onorato:

I would like to have the Director, also, of Personnel. How do we run the Summer Youth Program and pay these bills? Why don't we just source that out to City Source, too? I don't think this is about paying employees. I don't understand why this one's harder than any one else. So, I'd like to have the employment office up here too -- personnel office --

Mr. Hertzberg:

This is not payroll.

Mr. Onorato:

This is going to teachers, I know they're not payroll. But, it isn't brain surgery how you pay somebody for working. I don't care if it's an outsourcing or it's an employee. If we can't do this, I want to know why we can't do it.

The Chair:

I think the issue is Council does it every week, we do it. We have staff they verify the work performed. In this case it might be a part-time judo instructor. There's a supervisor at the work site, they verify it, they submit an invoice, the Director signs it, if she's around -- is working that week. And we get it paid. I don't understand what the problem is.

Mr. Ricciardi:

And that's a very good point. But the other point is, once these dollars -- again tax dollars that we're responsible for, leave this Council, we have no idea if there's a fairness in how the dollars are being spent in each and every neighborhood.

I recall when we did it by DI, we were able to see what dollars and what programs were going. To make sure that Knoxville, which I represent, are -- have decent and good programs. To make sure that the other neighborhoods, that I represent indirectly, are having good programs. This way, the \$135,000.00 leaves this table, we have no idea if the \$135,000.00 is going into several programs and not being spent fairly or wisely across the board.

I want to make sure that Knoxville, that I represent, is getting the same programs that the other neighborhoods are receiving. I want to make sure those neighborhoods are receiving the same good programs that we're receiving in Knoxville. And I have no idea by this blanket resolution of \$135,000 -- \$130,500.00.

The Chair:

Could I make a suggestion, for not only the peace of Council, but to move quickly on the bill in support of Councilman Hertzberg's concern. Would there be any objection to recommitting this but recessing this session? We can vote tomorrow on final forum on whatever the agreement is. Would you accept that Councilman?

Mr. Hertzberg:

Yes.

The Chair:

Mr. Ricciardi is that all right with you and the Body?

Mr. Ricciardi:

Yes, that's fine.

The Chair:

All in favor of the recommittal?

Which motion prevailed.

The Chair:

Very good. We'll recess this meeting and take final action on the bill tomorrow, whatever the bill looks like. Moving on to --

MR. COHEN PRESENTED:

Bill No. 1949

Report of the Committee on Public Safety

Services for May 7, 1997 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1885:

Resolution authorizing and directing the Director of Public Safety to enter into an agreement or agreements with AT&T Wireless Services pertaining to the Crossing Guard Safety Program.

Which was read.

The Chair:

You've heard the reading and title of the bill. Is there any discussion?

Mr. Cohen:

Thank you, Mr. President. I just want to congratulate the Administration and all who were involved. We've discussed this issue here for several months. Councilman Ricciardi has brought it up -- I've brought it up, and others, on the need to provide cellular telephones to security -- excuse me, to crossing guards. Because the crossing guards do a great job, but if they see an emergency they can't contact emergency personnel to get it resolved. So I think this will certainly help solve that problem, and I want to congratulate all involved.

The Chair:

Thank you. Roll call vote.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo, President
Mr. Onorato	

AYES Seven NOES None

The bill having received the legally required number of votes, has been approved finally.

MR. O'CONNOR PRESENTED:

Bill No. 1950

Report of the Committee on Engineering and Construction for May 7, 1997 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1886:

Resolution providing for a contract, or use of existing contracts for the rehabilitation of playgrounds at various locations throughout the City of Pittsburgh, at the cost not to exceed \$124,874.00.

Which was read.

The Chair:

You have heard the reading and title of the bill. Is there any discussion? Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote aye when your names are called. If you're opposed -- and opposed to fixing kid's playgrounds, which I doubt,

vote no. Roll call vote.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo, President
Mr. Onorato	

AYES Seven **NOES** None

The Chair:

That was not withstanding Mr. Rostin's -- Chaston Rostin's comments about our playgrounds.

The bills having received the legally required number of votes, have been approved finally.

That concludes our reports of Committees. Moving to motions and resolutions.

MOTIONS AND RESOLUTIONS

I remind my colleagues we're going to recess this meeting. We'll meet again briefly for final action.

And then also our next legislative meeting, given the fact that next Tuesday is the primary election, we will meet next legislative session, not only tomorrow in recess but the following Monday -- Monday, May 19, 1997 at 2:00 p.m. So, election week -- next week we're meeting Monday 2:00 p.m., the day before the primary election.

Other issues to be brought before

the Body?

You're supposed to post no bills in Council chambers.

Mr. Udin:

No bills posted, Mr. President. I just want to acknowledge for the public information that the Commonwealth Appeals Court has indeed upheld the ruling of Judge McLean. In the ruling that the Judge ordered that the referendum on the Citizen Police Review Board, will be on the ballot on June -- I mean May the 20th next Tuesday, May the 20th. Because we are so unfamiliar in previous elections, Mr. President, with voting on referendum questions, I thought it helpful and necessary that we display a sample of the ballot.

And the question is on the ballot. The ballots are on the machines and in the voting places and it is at the top of the ballot. And voters are requested to vote on the referendum questions first and then go on to vote for the candidates in the various parties. Both Republicans and Democrats will be able to vote for the referendum question. Certainly, I would hope that they would vote yes on the question. But, people will have the freedom to vote as they so choose.

I'd like to thank Mr. President and Councilman Cohen and Councilwoman McDonald for all of their hard work and support and also of their staff. And a special thanks, Mr. President, to the attorneys who worked free of their own time, Counselor Ira Weiss and Counselor Paul Girdani, who traveled to Philadelphia to present a very effective defense of the People's case. Thank you very much.

The Chair:

Thank you. Again, there are two ballot questions on the ballot, one involving neighborhood schools, one involving civilian review. Please look up at the top line and vote your conscience, or how you appropriately feel about the issues. I'll reserve my comments on both, but I'm voting yes on both of them. Any other discussion?

I do want to invite Lawrenceville residents -- this has been a long struggle for the last five or six years but this Saturday at twelve noon, it's the real thing involving the Lawrenceville shopping center. I want to thank Councilman Hertzberg, especially. Obviously Mayor Murphy, who never gave up hope on this Shop & Save. It's going to be a beautiful development at the home site in the 5600 block of Butler Street. It's a major new supermarket -- 40,000 plus square feet, major new drug store, as well as six or seven neighborhood retail stores on a beautiful site. The ground has already been broken, work is underway.

We've had two false starts in the last six years. It's been very depressing and upsetting, obviously, to the Lawrenceville neighborhood and residents. But this is going to be a class supermarket run by a gentleman who owns about 12 other stores. It's gonna be frequented not only by Lawrenceville residents, who badly need a new supermarket, but also the surrounding neighborhoods that I represent, from Morningside and Highland Park and Garfield. I think a lot of folks will appreciate the new store and will continue to support the Bloomfield Foodland and other great stores that we

have in the Council district.

So, I want to thank Councilman Hertzberg, especially and Mr. Onorato, I believe, sits on one of the boards -- the PEIDC Boards for their support at least for Council District 7.

Any other matter to be brought before the Body? Again, this legislative session stands in recess until tomorrow to deal with the bill on parks.

Thank you. Legislative session stands in recess.

MUNICIPAL RECORD

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May 19, 1997

No. 20

Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN MASCIO.....Deputy Clerk

Pittsburgh, PA
Monday, May 19, 1997

PRESENT:

Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Ferlo (Pres't)

ABSENT:

Mr. Cohen

The Chair:

Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world and, I guess, within the Democratic Party also.

We're very pleased this morning to have a great student, Heather Kasaroski. She's six years old, she's in the

kindergarten at St. Phillips elementary school, and she's accompanied by her parents, Sue and Rob Kasaroski. And Heather is going to lead us in the Pledge of Allegiance.

Heather Kasaroski:

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible with Liberty and justice for all.

The Chair:

Thank you, Heather, very much for coming down today. Our City Clerk would like to present you with the flag of our City and the flag of our great nation. And thank you and your mom and dad for coming down. They are from Councilman Alan Hertzberg's district. We appreciate him for assisting us in the Pledge of Allegiance today.

PRESENTATIONS

MR. CUSICK PRESENTS:

No. 1952 WHEREAS, on Thursday, May 15 1997, Ms. Lynne Lane will be honored at the Providers 4th Annual Homeless Resource Conference at the University of Pittsburgh; and,

WHEREAS, Ms. Lynne Layne worked for past six years as counselor to the Homeless in the City of Pittsburgh; and,

WHEREAS, Ms. Layne helped hundreds of Homeless men, women and children get their lives back on track; and,

WHEREAS, Ms. Layne has come from being drug addicted and homeless seven years ago, to adopting two children and owning her own home now; and,

WHEREAS, Ms. Layne is now living in Southside and attending working on her degree in addiction counseling; and,

WHEREAS, The Providers are comprised of homeless, formerly homeless and human services workers dedicated to improving the quality of life for their clients through education and resource networking to find solutions for fellow Pennsylvanians experiencing crisis situations. The Providers goal is to offer forums, such as the Homeless Resource Conference, which act as a networking tool to improve the type of social service referrals.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, honors Ms. Lynne Layne For her tireless service and dedication to the Providers, the Homeless and residents of the City of Pittsburgh. Further, we also commend Ms. Lynne as a success story for overcoming great adversity in her life and her efforts should never be forgotten. We also congratulate the Providers as they offer support to those in need in the Greater Pittsburgh area.

MR. HERTZBERG moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. Any other proclamation to be offered at this time?

Hearing none, moving to presentation of papers, Mr. Cusick for Councilman Cohen.

MR. HERTZBERG PRESENTED:

No. 1953 Resolution providing for the adoption of the recommended decisions and orders of the Director of the Department of General Services pertaining to the rate filings of TCI of Pennsylvania, Incorporated, for basic service, installation and equipment.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

MS. MCDONALD PRESENTED:

No. 1954 Resolution approving execution of a disposition contract by and between URA and Valente Cascioto for the sale of Block 25D in the 6th Ward of the City of Pittsburgh.

No. 1955 Resolution approving execution of a disposition contract by and between URA and John F. and Carol G. Labdu for the sale of Block 29-M, 3808

Frazier Street in the 4th Ward of the City of Pittsburgh.

No. 1956 Resolution approving execution of a contract for disposition of sale by and between URA and Albert Elovitz for the sale of Parcel 1 in the 6th Ward of the City of Pittsburgh.

No. 1957 Resolution approving execution of a contract for disposition of land by and between URA and PEIDC for the sales of Parcels 4 and 6 in the 24th Ward of the City of Pittsburgh.

No. 1958 Resolution approving execution of a contract for disposition of land for the sale of part of Parcel 1, Subdistrict 2 East, and part of Parcel 1, Subdistrict 1 East by and between the URA and PEIDC, said parcels located in the 4th Ward, City of Pittsburgh.

MR. ONORATO PRESENTED:

No. 1959 Resolution providing for an agreement with the Spring Hill Civic League to use the first floor of the former Spring Hill fire station as a recreational activity center.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED:

No. 1960 Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1996 to the same or to other code accounts for the year 1997 by making corrections to Code Account 46 and to total of accrued payroll.

MR. UDIN moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

No. 1961 Resolution providing for the issuance of a \$5,000 warrant in favor of Allegheny Cemetery, care of Thomas J. Staresinic in settlement of claim for accident involving a City refuse truck.

No. 1962 Resolution providing for the issuance of a \$1,125 warrant in favor of Teresa Bedo and settlement of a claim for sidewalk damages due to City Tree Roots.

No. 1963 Resolution providing for the issuance of a warrant in the sum of \$3,200 to Denise Unise Brooks in final settlement of the action filed in the Court of Common Pleas alleging personal injuries which were caused by a City of Pittsburgh garbage truck.

MR. FERLO PRESENTED:

No. 1964 Resolution providing for a warrant in favor of Lexis-Nexis in payment for computer user research

services for the month of April, at a cost not to exceed \$3,446.27.

No. 1965 Communication from Tom Flaherty, City Controller, submitting the physical audit of the Department of General Services warehouse inventory dated December, 1996.

The Chair:

That concludes our presentation of papers. Is there any matter under unfinished business or reports of special committees?

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 1966:

Report for the Committee on Finance and Budget for May 14, 1997 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1915:

Resolution providing for the issuance of a \$1,000 warrant in favor of Warleatha Mobley in settlement of a claim for an accident involving a City police vehicle.

Which was read.

Also,

Bill No. 1916:

Providing for the filing of a petition or petitions for the sale of certain property or

properties acquired at tax sales in accordance with Act No. 171 of 1984.

Which was read.

The Chair:

You've heard the reading and title of the bills, is there any discussion? Hearing none, the bills are ready for final action. All in favor of the passage of on the bills will vote aye when your names are called, if you're opposed, vote no.

Will the Clerk please call the role?

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Onorato	Mr. Cusick
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES Eight NOES None

All of the bills, having received the legally required number of votes have been approved finally.

MR. RICCIARDI PRESENTED:

Bill No. 1967:

Report for the Committee on Public Works, Water and Environmental Services for May 14, 1997, transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1894:

Resolution granting unto Viaggio Restaurant, East Carson Street, their successors and assigns an encroachment to construct, maintain and use at their own cost and expense a sidewalk cafe, wood planters and topgeries at 2302 to 2304 East Carson Street in the 17th Ward.

Which was read.

The Chair:

You've heard the reading and the title of the bills, is there any discussion? Hearing none, the bills are now ready for final action. All in favor of the passage of the bills vote aye when your names are called, if opposed, vote no.

Will the Clerk please call the role?

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Cusick
	Mr. Ferlo
	(Pres't)

AYES Nine **NOES** None

All of the bills having received the legally required number of votes have been approved finally.

MR. HERTZBERG PRESENTED:

Bill No. 1968:

Report of Committee for Lands, Buildings, and Procurement for May 14, 1997, transmitting a resolution to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1912:

Amending Resolution 398 of 1994 providing for the leasing from Beechview UP Church a parcel of land and building at 1621 Broadway Avenue in the 19th Ward for a COP mini station for the a term of two years by changing the term of the lease to commence May 1st, 1996 and renewable annually.

Which was read.

The Chair:

You've heard the reading and title of the bills, is there any discussion? Hearing none, the bills are ready for final action. All in favor of the passage of the bills will vote aye when your names are called, if you're opposed, vote no.

Will the Clerk please call the role?

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Cusick
	Mr. Ferlo
	(Pres't)

AYES Nine **NOES** None

The Chair:

That concludes our reports of committees. All of the bills having received the legally required number of votes have been approved finally.

On the motions and resolutions, is there any matter to be brought before the body?

MOTIONS AND RESOLUTIONS

Mr. Ricciardi:

Happy birthday, Mr. President.

Mr. Cusick:

Just bringing up, last week, the media did a story on curfew I thought it was real important that --

The Chair:

Who?

Mr. Cusick:

The media did a story on curfew, and a young lady that was having some problems. I was real excited to hear that the curfew has been able to help a young person, but more importantly, get her the help and act as a tool for her parents. I think that a lot of people are frustrated with what sometimes can be children not paying attention or listening to their parent. And it just goes to show that our curfew here in Pittsburgh is something that can be used as a tool for the parent. It can be something good. So, I mean, I do want to thank the media for picking up on that and finally doing a positive story on where

something that we hoped that would do good when it does good. Thank you.

The Chair:

Thank you. Other discussion? Any other matter to be brought before the body?

Mr. O'Connor:

What day is tomorrow? Is tomorrow Election Day?

The Chair:

Yes.

Mr. O'Connor:

Let's urge everyone to get out and vote.

The Chair:

Whatever your preference, vote yes on civilian review at the top of the ballot.

Mr. O'Connor:

I didn't think we could plug. Vote for O'Connor now, are we allowed to say that?

The Chair:

We got a very nice thank you letter from the Senior Citizens Advocacy Council, it was addressed to me, but really it's a thank you to all of our colleagues. They appreciate our financial support for sending their bus and helping to provide the meals. They had a great delegation of older Pittsburgh residents who are part of the advocacy counsel. They spent a whole

day lobbying in Harrisburg on a number of different social policy issues involving older residents here in the City of Pittsburgh. And, again, this thank you letter to me is really shared by all of Council. They thank you very much. And I hope every year we'll be able to provide them financially with the support they need for a bus transportation and meals, because it's a great lobbying effort and actually brings home the bacon. These folks go out, they lobby not only on important issues affecting older residents and older citizens in the City of Pittsburgh, but they also lobby on various dollars that come back to the City to help us do senior citizen programming and other kinds of housing and development affecting older residents. So thank you Sam Bellasenti and everybody else, thank you all of Council.

Mr. Cusick:

Yeah, just one final issue, Mr. President. So many moons ago, our president was born on this very day and it's his birthday today. I just want to wish you a happy birthday.

The Chair:

Well, thank you very much.

Mr. Cusick:

Many, many moons ago.

The Chair:

Thanks for reminding me that I'm 46 today, but thank you. I woke up with John Cigna and another radio station wishing me happy birthday. I want to go back into a secure life as I get older.

Thank you very much for wishing me happy birthday.

Mr. O'Connor:

Happy birthday.

Ms. McDonald:

Happy birthday.

Mr. O'Connor:

Many, many more.

The Chair:

I still feel 22. I know I don't look it, but I do feel it.

Any other matter to be brought before the body? Again, we do have a next legislative meeting of this Council is scheduled for 2:00 Tuesday, May 27th and set at 10:00, and we have a number of public hearings. I want to ask colleagues please be mindful of upcoming public hearings. And with that, this legislative session stands adjourned. Thank you and please vote tomorrow in the primary election.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO.....Deputy Clerk

Pittsburgh, PA
Tuesday, May 27, 1997

PRESENT:

Mr. Onorato	Mr. Udin
Mr. Ricciardi	Mr. Hertzberg
Mr. O'Connor	Mr. Ferlo
	(Pres't)

ABSENT:

Mr. Cohen
Mr. Cusick
Ms. McDonald

The Chair:

Good afternoon, everyone. At this time, would you all please rise for the Pledge of Allegiance, and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We have a young student here this morning, Mr. Paul Miller. He's a student

from Quentin Roosevelt in City Council District 3, Councilman Ricciardi's district. He's in the fourth grade, nine years old, a big nine-year-old. His mom is here, Sharon Miller, and Paul is going to lead us in the Pledge of Allegiance.

Paul Miller:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you, Paul. We appreciate you and your mom coming down to Council today. Our City would like to present you with a flag of our great nation and a flag of our City.

I just wanted to let everyone know, especially in the viewing audience, because it will be a little different in your TV screen, from now on we have the services and the benefit of this gentlemen to my right, Mr. Mark Holmes. He's a staff interpreter with the Pittsburgh Hearing, Speech and Deaf Services, Incorporated. From now on, our legislative sessions will be interpreted by Mr. Holmes. That's one of the advocacy items growing out of Barrier Awareness Week, along with the remodeling and changes in City Council chambers to make the chambers, themselves, much more accessible to all of the public.

So we want to thank Mark Holmes and the agency for their participation in these meetings. And more importantly, we hope that the words and the actions of the legislative body of City Council will be ready and available and accessible for all of the viewing public here in the City of Pittsburgh. So thank you, especially to Mark.

So if he can follow along with this discussion, he's a great interpreter, and I know he can do that. He's very talented.

Mr. O'Connor:

Is it available in Braille if somebody would want it?

The Chair:

We've checked into that, I believe. We're trying to figure out how to do that exactly. It's an expensive item and we're looking at what -- we asked Director Miskovich to look into that.

Mr. Cohen:

I'm not saying every meeting, but if somebody would request a meeting, we would be able to transfer it.

The Chair:

I think we'd try to honor and respond to that on a case-by-case basis. I think it would be taking the public record and trying to find out at what costs and what manner we can do -- there are services that offer that. So we're reviewing that possibility. Thank you.

We have a number of guests in the audience this morning. I know -- Councilman Hertzberg, I don't know if

your guests are here. Can anything be read into the record?

Mr. Hertzberg:

No.

PRESENTATIONS

The Chair:

Okay. Councilman Onorato, I know you have a guest in the audience, and/or guests.

Mr. Onorato:

And Councilman Udin.

The Chair:

I just want to state that Councilman Cusick has sent a letter of priority indicating he's away this week. Councilman Cusick, again, is away this week, as well as our colleague, Councilwoman McDonald, is also out of the City on business. I just want to indicate that publicly to the media.

Mr. Onorato:

Yes, Mr. President. If the individuals associated with the Fineview Step-A-Thon would please come forward. And as they're walking forward, we have Louise Kramer who is with the Fineview Citizens Council. She's the membership chairperson; Margaret Elridge, vice-president, Fineview Citizens Council; and Judith Harvey, coordinator of the Step-A-Thon 5K race.

For everyone listening, this was the race -- you might have read in the paper last week where it's a unique 5K. It's

vertical, straight up a hillside. How many steps are involved?

Judy Harp:

Three hundred eighty-one.

Mr. Onorato:

Three hundred eighty-one steps from the valley of East Street to the top of Fineview where Channel 11 TV is located. And it is straight up. Councilman Udin and I both participated last year and I had the opportunity to run again this year, and believe me, you use new muscles that you didn't know existed when you ran this race.

**MR ONORATO AND MR. UDIN
PRESENT:**

No. 1969 WHEREAS, the second annual Fineview Step-A-Thon was held on May 18, 1997;

WHEREAS, the challenging course faced by the runners included four staircases totaling 381 ascending steps, the vertical climb from start to finish is 400 feet;

WHEREAS, profits from the 1996 Fineview Step-A-Thon were spent on paint supplies and brushes which were used by volunteers to paint the railings of city staircases;

WHEREAS, city steps are the original fitness center and outdoor gym, the Fineview Citizen Council would like to preserve this part of Old Allegheny City before it is gone;

WHEREAS, the purpose of the second annual Fineview Step-A-Thon is to market the Fineview neighborhood as a desirable city community. Fineview offers a spectacular view of the City and quick access to downtown Pittsburgh;

WHEREAS, Michael Barbush is the marketing committee chairman for the Fineview Citizen Council. Mary Jane Barbush and Judy Harvey for the second year in a row served as race coordinators. Without their efforts, the Fineview Step-A-Thon would not be possible.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and commends all those who worked so hard to make the second annual Fineview Step-A-Thon a success.

THE CHAIR motion to adopt the resolution.

MR HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Onorato:

I just want to congratulate Fineview, again, for coming up with a unique way to preserve the maintenance of these steps, that we have plenty of over the City. And as you know, the City only has so many resources, so you're a great partner. We want to thank you. At this time, I'm going to turn over to Councilman Udin.

The Chair:

Councilman Udin, I cannot believe you climbed 358 steps.

Mr. Udin:

I'm still recovering from last year's race. I didn't run this year's race.

I certainly do invite everyone to participate in what will continue to be an annual funfest. It is a lot of fun. And not only does it bring together the community of Fineview and other communities, but it exposes the beautiful neighborhoods in the Fineview area to a lot of people who would otherwise not be exposed to those neighborhoods and gives us a really very beautiful view of the City and a unique pathway, network of pathways to various communities.

I'm sure that a lot of people in the City are not aware of all of the staircases that unite various communities along the hillsides of Fineview. So it's an educational experience as well. And I'm very happy to have participated in it. I would have been in it this year had I not been out of town, and I look forward to participating in it next year. Thank you very much.

Mr. Onorato:

We'll have at this time Ms. Judith Harp, the coordinator of the Step-A-Thon.

Judy Harp:

I want to say we do have pictures that prove that both of these gentlemen were in the race.

Mr. Udin:

Show them to the president.

Judy Harp:

I didn't bring them, but I will next year when we have --

The Chair:

I'll donate, but I'm not walking.

Judy Harp:

-- when we have our third annual Step-A-Thon.

I do want to say that we just want to show that there's something positive happening on the North Side, that it is a very delightful little neighborhood that we have, and our little Sunday morning Step-A-Thon race for next year, which will be the week after Mother's Day. I would like to welcome you all. Again, you have a whole year to get in shape. We'll see you then. Thank you again.

The Chair:

Thank you all and congratulations.

Judy Harp:

Thank you.

MR. UDIN PRESENTS:

No. 1970 WHEREAS, Dr. John Prendergast, Chief of Geriatric Medicine at Mercy Hospital, and Dr. Connie Bayles, an established Exercise and Aging Specialist, wrote and received a grant to study individualized, progressive, and medically monitored exercise programs for the frail elderly. This grant, which was a joint venture with Christian Housing Inc., proceeded to study the environment and medical needs of a group of residents who

lived at an elderly housing facility called Just Inn Transition located on Mt. Washington; and

WHEREAS, during the fall of 1987, Sister Joanne Marie Andiorio, President & Chief Executive Officer of Pittsburgh Mercy Health System, requested that a progressive exercise program be implemented at the Sisters of Mercy Mother House on the Carlow College Campus for the infirmed Sisters. This site has the distinction of being the first true 'ELDERFIT' site; and

WHEREAS, In 1996 'ELDERFIT' became 'Fit NB Free'. The 'Fit NB Free' name and program have been registered with the United States Patent and Trademark Office. The name was changed and the focus of the program was broadened to meet the needs of people of all ages and all disease states in the community; and

WHEREAS, 'Fit NB Free' continues to grow in size and number. To date 'Fit NB Free' has 25 sites throughout the Country with five more on the way. The American Hospital Association has selected 'Fit NB Free' as one of 13 programs across the country for their NOVA Award .

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh congratulates and commends 'Fit NB Free' for its 10 years of outstanding accomplishments and invaluable support to the community. Also,

No. 1971 WHEREAS, the City of Pittsburgh has experienced racial tension and painful civil conflict; and

WHEREAS, the National Conference on Peacemaking and Conflict Resolution promotes the use and acceptance of non-violent approaches to the resolution of conflict and the improvement of conflict resolution theory and practice; and

WHEREAS, the National Conference on Peacemaking and Conflict Resolution is committed to developing an inclusive society that values diversity and uses collaborative processes to achieve peace and justice; and

WHEREAS, the National Conference on Peacemaking and Conflict Resolution provides an international forum for continuing dialogue about the uses of conflict resolution as a tool for social justice and a force for peace; and

WHEREAS, we in Pittsburgh are fortunate that Duquesne University is hosting the annual meeting of the National Conference on Peacemaking and Conflict Resolution from May 23 - May 27, 1997, where the theme is Peacemaking Journeys and where sessions devoted to social justice and youth are among the special programs being offered.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh salutes the National Conference on Peacemaking and Conflict Resolution and supports the principles of peace and diversity.

THE CHAIR:

Motion to adopt the resolution.

MR HERTZBERG seconded the motion

Which motion prevailed.

The Chair:

Motion carries. Thank you. That concludes our read and adopted. Moving into presentation of papers.

Mr. Cohen:

Mr. President, I don't see any papers, actually.

The Chair:

That's what happens when you have the day after the holiday. They will be out on the table shortly.

Is there any matter to be brought under unfinished business or reports of special committees?
We'll get back.

Mr. Cohen:

I'll stall for time until we get the papers here.

Seriously, I did want to give a brief report on the Civilian Review Board Task Force that you appointed last week. I had a meeting just this morning with Deputy Mayor Cox and the Solicitor, Jacqueline Mauro, to initiate a process and also to identify the key issues relating to the implementation of a Civilian Review Board and we did that, eight issues to be exact.

I've also scheduled a meeting of a Council subcommittee which is Councilman Sala Udin, yourself, Councilman Ricciardi and myself, which

will be this Friday, and I'm in the process of scheduling a meeting with the Mayor so that we can kick off this important initiative, of course, to implement a Civilian Review Board.

So I wanted to report to you that those three things have happened and we'll get this process under way.

The Chair:

Thank you very much.

Moving back to presentation of papers.

MR. HERTZBERG PRESENTS:

No. 1972 Resolution amending Resolution 242 effective April 24th, 1996 authorizing a Cooperation Agreement providing for a transfer in the amount of \$3 million to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for the use by the City of Pittsburgh's departments and authorities by increasing the total project allocation by \$186,000. Which was read and referred to the Committee on Lands, Buildings & Procurement.

MS. MCDONALD PRESENTED:

No. 1973 Resolution providing for an agreement and/or contracts and/or existing agreements or contracts with a consultant or vendors for the purpose of conducting planning and management studies and relative activities in support of such studies including the purchase of data and data analysis equipment at a cost not to exceed \$250,000;

No. 1974 Resolution authorizing the City of Pittsburgh to submit a \$50,000 grant application addressing the nine-mile run watershed to and execute relevant agreements with the Pennsylvania Department of Conservation and Natural Resources under the Keystone Rivers Conservation Grant Program;

No. 1975 Resolution providing for an execution of a Cooperation Agreement with the URA of Pittsburgh for the performance of certain work in connection with the 1997 and 1998 Community Development Block Grant Program at a cost not to exceed \$9,023,9009;

No. 1976 Resolution approving execution of a Disposition Contract by and between URA and Carl Swoop for the sale of Parcels 244F and 244C2 in the 21st Ward of the City of Pittsburgh;

No. 1977 Resolution approving execution of a disposition contract by and between URA and Teresa Lee for the sale of Parcel 265 in the 21st Ward of the City of Pittsburgh;

No. 1978 Resolution approving execution of a Disposition Contract by and between URA and Neighborhood Centers Association for the sale of Parcel 104 in the 21st Ward of the City of Pittsburgh.

No. 1979 Resolution approving execution of a Disposition Contract by and between URA and Christopher Syms for the sale of Parcel 139B in the 21st Ward of the City of Pittsburgh;

No. 1980 Resolution approving execution of a Disposition Contract by and between URA and Kenneth Crawthorn for the sale of Parcel 139C in the 21st Ward;

No. 1981 Resolution approving execution of a Disposition Contract by and between URA and Joseph Williams III and Darrell B. Williams for the sale of Parcels 139A, 140 and 141 in the 21st Ward of the City of Pittsburgh.

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MR. O'CONNOR PRESENTED:

No. 1982 Resolution providing for an agreement or use of existing agreements and/or contracts for the reconstruction of Frick Playground at Forbes and Braddock Avenue at a cost not to exceed \$325,000.

Which was read and referred to the Committee on Engineering and Construction.

MR. RICCIARDI PRESENTED:

No. 1983 Resolution providing for a contract or use of existing contracts for flexible beam guide rails in CDBG areas throughout the City of Pittsburgh at a cost not to exceed \$10,000;

No. 1984 Resolution vacating a portion of Cervin Way, 50 feet wide between Sherwood Avenue and Thorton Street, a distance of approximately 168 feet in the 20th Ward.

Which were read and referred to the Committee on Public Works, Water & Environmental Services.

MR. UDIN PRESENTED:

No. 1985 Resolution providing for the issuance of a warrant in the sum of \$8,000 to Patrick Dougherty in full and final settlement of an action filed on or about November 24th, 1993;

No. 1986 Resolution providing for the transfer of the amount of \$170,000 from Code Account 51, Departmental Postage, to Code Account 46, Judgments and Interest on Judgments;

No. 1987 Resolution providing that the City of Pittsburgh enter into a Professional Service Contract for the purpose of providing legal counsel for defense of workers' compensation and heart and lung claims. Costs not to exceed \$165,000;

No. 1988 Resolution providing that the City of Pittsburgh enter into a Professional Service Contract with Allegheny General Hospital for the purpose of providing medical and ancillary services for the City's workers' compensation program, costs not to exceed \$4,446,661.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

The Chair has no papers to present at this time. That concludes our presentation of papers.

Are there any matters under unfinished business or any other matters regarding reports of special committees? Hearing none, moving to the reports of committees.

REPORTS OF COMMITTEES**MR. UDIN PRESENTED:**

Bill No. 1989:

Report of the Committee on Finance and Budget for May 22, 1997, transmitting sundry of Resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1941:

Resolution providing for the issuance of a warrant in the sum of \$50,000 to Andrew Forsyth, Jr., in full and final settlement of an action filed alleging failure to protect Ms. Price;

Which was read.

Also,

Bill No. 1942:

Resolution providing for the issuance of a \$1,390 warrant in favor of Stephen Lippello, Jr., in settlement of claim for accident involving a City EMS vehicle;

Which was read.

Also,

Bill No. 1943:

Resolution providing for an agreement with the Port Authority of Allegheny County which grants permission to construct a permanent drainage easement along the southerly

edge of the City owned property in the 20th Ward on the Glen Mawr Street, Lot and Block 20-B-134;

Which was read.

Also,

Bill No. 1944:

Resolution providing for the conveyance by the City of Pittsburgh of certain property under Act 171 of 1984 entitled Second Class City Treasurer's Sale and Collection Act;

Which was read.

Also,

Bill No. 1960:

Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1996 to the same or to other code accounts for the year 1997 by making corrections to Code Account 46 and to total of accrued payroll.

Which was read.

The Chair:

You've heard the reading and title of the bills; is there any discussion?

Mr. Udin:

Yes, Mr. President, I just want to comment on Bill 1941. It's a settlement where the City is paying an amount of \$50,000 concerning a very tragic incident, and I find myself being pulled in two different directions, Mr. President. On the one hand, our fiduciary responsibility to

the City requires that we act in the best financial interest of the City. On the other hand, as a human being, I'm finding here an apparently poor family being represented by a public defender, apparently, or some other kind of representation that results in a family only receiving in this settlement \$50,000, where I'm sure that if, on the other hand, it was a family of some means, their settlement would be in the millions. And so I'll be abstaining on this Bill, not because I think that the family could not use and should not get what the settlement provides, but just as a way of expressing my own personal outrage at the results. Thank you, Mr. President.

The Chair:

Other discussion?

Mr. Ricciardi:

Thank you very much, Mr. President. I wasn't going to speak to this matter. I understand fully the position of Councilman Udin, which at times can be dilemma, which is representing the City, but at the same time realizing what the circumstances are around this.

The only reason I ask to say something, Mr. President, is just to point out that this is a warrant which would require six votes, and if that position holds firm for Councilman Udin as an abstention, I just want to point out to my other colleagues, whatever their position is, six votes need to pass this today and I realize there appears to be two absent members. Thank you.

The Chair:

Other discussion.

I hate to do this to my colleagues because we met in executive session. But all weekend I thought about this case. I know I often said Council members have a legislative hat and we have a fiduciary hat, but in this case, this estate and these children that are going to be left motherless are not being treated fairly. I don't know if it's just because of the way the court system is or the attorney helping to represent this particular family, I'm sure they got assigned by the Orphans' Court, but I think we should recommit this bill for more discussion.

I realize we've had a lot of discussion on it, but I'm still very concerned about what changes have taken place since this tragedy both in our own police bureau as well as at an area hospital. It doesn't happen to be -- it could have happened at a number of different hospitals. This hospital has a particular responsibility relative to the admittance of individuals for involuntary mental health reasons. I really think we need to have a little more discussion with our City Solicitor as well as the Chief of Police.

I'm very concerned. I think all of my colleagues share the frustration that we have with this case. I think we all shared a concern we have around procedures in the police bureau as well as the hospital system, in this case it happened to be St. Francis Hospital, who is also in on this settlement for an additional \$50,000.

But I think -- I guess what I'm torn about is that if other legal representation were representing this family, I'd really question whether or not this settlement, as Mr. Udin said, would be \$50,000. So I

don't think there's going to be six votes today, if I can add today.

So I think maybe we should have a motion to recommit.

Mr. Ricciardi:

I'm going to make a motion to recommit, and again, I'm not putting anyone on the spot here, especially my two colleagues, Mr. Ferlo and Mr. Udin. However, I think we should have held this Bill then for a week or two for more discussion at the committee session. Because recommitting now, and I'm not an attorney, I think we're putting all parties at some sort of confusion, both our own attorneys, our solicitor office and others by recommitting now. I don't know what type of message it's going to send out for the decision to okay the amount before us. But I'll make a motion to recommit.

MR. UDIN seconded the motion.

The Chair:

Motion to recommit. Any other discussion?

I would ask the City Solicitor to attend that executive session and also our Chief of Police relative to this case. I better not hear a comment about welfare people at that meeting also.

All in favor of the recommitment?

Which motion prevailed.

The Chair:

On the remaining Bills, colleagues? If you're in favor of the reading of the Bills, please vote aye when

your names are called. If you are opposed, vote no. Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	Mr. Ferlo,
	Pres't

AYES Seven **NOES** None

All of the Bills having received the legally required number of votes have been approved finally.

MR. RICCIARDI PRESENTED:

Bill No. 1990:

Report of the Committee on Public Works, Water & Environmental Services for May 22, 1997, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation

Bill No 1891:

Resolution further amending Resolution 638 effective August 19th, 1994 entitled "Authorizing the Director of Department of Public Works to sell reclaimed asphalt presently stored at Heath Run. Permission is requested to sell to the general public by the ton. All monies collected are to be deposited into the

Asphalt Reimbursement Trust Fund." The Amendment is to increase the cost of the asphalt.

Which was read.

Also,

Bill No. 1939:

Resolution granting unto Cassidy-Pierce Company, Inc., an encroachment to construct, maintain and use at their own cost and expense a parking area on Island Avenue in the 27th Ward.

Which was read.

The Chair:

You've heard the reading and title of the Bills; is there any discussion?

Mr. Ricciardi:

Thank you. Colleagues, regarding the small increase in the price of asphalt is a very small increase. I really want to thank Director Kraszewski who continues to make the selling of asphalt customer friendly. Years ago, only contractors were able to afford the price and also the minimum amount. Now, everyone in the City of Pittsburgh, because of the small minimum that needs to be paid for and the small price, anyone can go there and get asphalt and fix up some of their own potholes in their own driveways.

The Chair:

Thank you, Councilman. Any other discussion? Hearing none. Roll call vote on the Bill.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	Mr. Ferlo,
	(Pres't)

AYES **Seven** **NOES** **None**

The Bill having received the legally required number of votes has been approved finally.

MR. ONORATO PRESENTED:

Bill No. 1991:

Report of the Committee on Planning, Zoning & Land Use for May 22, 1997, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No 1938:

Resolution approving a conditional use exception under Section 993.01 of the Pittsburgh Code, Title Nine, Zoning, to Carnegie Mellon University for authorization to construct a three-story-and-basement, 95,000-square-foot performing arts center known as the Purnell Center for the Performing Arts located on the campus of Carnegie Mellon University at 5000 Forbes Avenue on property zoned I-C Institutional Civic District 14th Ward.

Which was read.

The Chair:

You've heard the reading and the title of the Bills, is there any discussion? Hearing none, the Bills are ready for final action. All in favor of the passage of the Bills will vote aye when your names are called, if you're opposed, vote no. Would the Clerk please call the roll?

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Mr. Udin	Mr. O'Connor
	Mr. Ferlo,
	(Pres't)

AYES **Seven** **NOES** **None**

All of the Bills having received the legally required number of votes have been approved finally.

MS. MCDONALD PRESENTED:

Bill No. 1992:

Report of the Committee on Housing, Economic Development & Promotion for May 22, 1997, transmitting two resolutions to council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1934:

Resolution authorizing the URA of Pittsburgh to acquire that property in the

11th Ward of the City of Pittsburgh owned by the U.S. Department of Housing and Urban Development and designated as Block and Lot 83N-124 in the Deed Registry Office of Allegheny County;

Which was read.

Also,

Bill No. 1935:

Resolution approving execution of a Disposition Contract by and between URA and East Liberty Development, Inc., and the Community Builders, Inc., for the sale of Block 83N Lot 124 in the 11th Ward of the City of Pittsburgh.

Which was read.

The Chair:

You've heard a reading and title of the Bills. Is there any discussion?

Mr. Ricciardi:

Thank you. Let me just say I'm voting for these two Bills. I'll take the lead of Councilwoman McDonald and as a courtesy also. But I do have some reservations. I just don't understand why we need the URA's involvement in this case. Yes, we have a proactive URA, but I don't see why they have to hold the property. And, also, Mr. President, you brought out some very good points on the track record of all the groups involved, and there's a lot of money involved here, not just the grant itself of \$4 million. So I'm going to vote on this and I'm going to watch this very carefully, and one year from today, I'm going to ask for a status

report. I hope no monies have been wasted and I hope it proceeds. Thank you.

The Chair:

Thank you, Councilman. My feeling, exactly.

Mr. Hertzberg:

Just a response on the issue of the URA acquiring property. Now, this is a particularly good example of the kinds of properties we should be acquiring in the URA. The URA's total mission is to try to eliminate blight, and this is by all account urban blight, and we're acquiring it and trying to eliminate the blight. I know the City and the URA together may own some properties we shouldn't own, but I think this is probably not a good example of one.

The Chair:

Again, this property will be turned over quickly to a non-profit corporation and Community Builders does have a strong track record not only in renovation, but more importantly property management. We're all hoping for the best. But I think your points and Councilman Onorato's concerns that were raised were well taken. I think, you know, a lot of eyes are going to be watching this development initiative.

Clerk, please call the role.

The ayes and noes were taken agreeably by law and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Mr. O'Connor	Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo

(Pres't)

AYES Seven **NOES** None

The Bills having received the legally required number of votes have been approved finally.

MR. HERTZBERG PRESENTED:

Bill No. 1993:

Report of the Committee on Lands, Buildings & Procurement for May 22, 1997, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation

Bill No. 1959:

Resolution providing for an agreement with the Spring Hill Civic League to use the first floor of the former Spring Hill Fire Station as a recreational activity center.

Which was read.

The Chair:

You've heard the reading and title of the Bill. Is there any discussion? Hearing none, the Bill is ready for final action. All in favor of the passage of the Bill will vote aye when your names are called. If you are opposed, vote no. Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen

Mr. O'Connor

Mr. Ricciardi

Mr. Hertzberg

Mr. Onorato

Mr. Udin

Mr. Ferlo,

(Pres't)

AYES Seven **NOES** None

The Bill having received the legally required number of votes have been approved finally.

MR. O'CONNOR PRESENTED:

Bill No. 1994:

Report of the Committee on Engineering and Construction for May 22, 1997, transmitting one resolution to council.

Which was read, received and filed.

Bill No. 1936:

Resolution adopting Official Sewage Facilities Plan for LTV South Side Works bounded by East Carson Street, South 25th Street, Monongahela River, back to East Carson Street in the 16th Ward.

Which was read.

The Chair:

You've heard the reading and title of the Bill. Is there any discussion? Hearing none, the Bill is now ready for final action. All in favor of the passage of the Bill will vote aye when your names are called, and if you opposed, vote no. Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. Hertzberg
Mr. O'Connor	Mr. Onorato
Mr. Ricciardi	Mr. Udin
	Mr. Ferlo,
	(Pres't)

AYES Seven **NOES** None

All of the Bills having received the legally required number of the votes have been approved finally.

That concludes our reports of committees.

MOTIONS AND RESOLUTIONS

I want to go over a number of public hearings, but I think since the media is here today and there's somewhat of a media frenzy. Let me say a few things on behalf of all of my colleagues since I assume you're not here to learn about the bike safety helmets that we gave out today in the North Side and in Stanton Heights, hundreds of them, and you're not out in our districts or following us around today to know about all the work and activities this Council is involved in.

I just want to say a couple of things clearly. First of all, this meeting was rescheduled date-wise and that's one of the reasons why Councilwoman McDonald had a conflict. Councilman Cusick is absent from the meeting today. He submitted a letter on Friday about him being away this week. The electorate in Councilman Cusick's district has been the

final arbiter in the matter of his future tenure on this City Council. His personal problems are well-known and I guess, apparently, they are continuing.

But this City Council and all of us collectively and individually have been very busy with the work not only of City government but also the work and needs of our respective constituents. I do not have, and don't believe any of my colleagues here today have, any knowledge or information regarding an incident that may have happened over the weekend. I would ask that the media contact Mr. Cusick directly regarding his activities or conduct. I would ask that his constituents continue to call his office, and a very hard working staff that he enjoys, regarding any of their needs or any issues relative and respective to that Council district. So I just want to clarify that point.

We have a number of public hearings upcoming that are very important. Tomorrow we have an informal post-agenda meeting regarding some of the discussions that Councilman O'Connor and others raised with the Tax Increment Financing Bill that I have submitted and will be discussed tomorrow. We're going to have a post-agenda with some of the parties regarding the policy. We've also asked our School Board president to attend and I believe that's tomorrow immediately following the City Council standing committee meeting.

On Wednesday afternoon, tomorrow also, we have a report from the City Controller, a presentation regarding the City's annual financial audit, to consolidate the annual financial report. We hope it will be a little bit of a benchmark about where we're at, where

we've been for the last few years, where we're at presently and what kinds of major financial discussions and hurdles are present for us as we begin to deliberate the fall budget. That's tomorrow afternoon at 2:00.

Next Tuesday, June 3rd, at 2 p.m. we have a formal public hearing by Council regarding the Tax Increment Financing Proposal of the Federal North Redevelopment Area. We've asked the Commissioners and the School Board representatives to be here for that public hearing.

We have a rescheduled hearing regarding the proposal of the Regional Renaissance Task Force regarding the notion of creating a multi-county sales tax increase for economic development including stadiums and convention centers. We want to hear a formal report from this task force, something this Council has not had the benefit of, at least formally. So that is a public hearing scheduled for June 24th at 2 p.m.

If there is a public concern that it wants to express themselves on, this issue of sports facilities and the notion of some increase in the sales tax, Allegheny County and the surrounding region, you're welcome to hear the presentation and they will also be asked to contribute any ideas or concerns that they have. If you want to speak at that public hearing, contact the City Clerk at 255-2138.

Also on Tuesday, June 10th, we have a hearing regarding the -- Councilman Hertzberg has a Bill regarding some interest repayments of a UDAG grant on the Lazarus loan and that's on the notion of creating an incentive fund for

historic tax credit to assist the smaller business community in the City of Pittsburgh.

Those are some upcoming hearings. I know Council will be attentive and, again, any public hearing, the public is invited to participate and speak. You're welcome to call the City Clerk at 255-2138.

That concludes our formal business. Any other matters under the motions and resolutions?

Mr. Udin:

I just want to put Council on notice that I have been in touch with the Administration regarding the semi-annual review of the state of the City's budget and will be approaching the president to get that on the post-agenda meeting, kind of a special post-agenda meeting, within the next week or two. Thank you.

The Chair:

Thank you. One last matter. Councilman Cohen raised this issue, there is a question by some -- some obviously who are opposed to a Civilian Review Board -- about information or a brochure who a number of my colleagues, including myself, did. We did not feel it was inappropriate because it supported an issue that was on the ballot, but it was non-partisan in nature in terms of not being for a partisan candidate or a partisan party.

However, colleagues have raised some issue, as well as the media has made some inquiry. We will seek an advisory opinion. Councilman Cohen has asked,

though, and Mr. Udin rightfully so. I think the means test here is that there not be the appearance of impropriety, but apparently there is, at least in the eyes of some of my colleagues and the detractors of the Review Board. We should not even have an issue about this. The four colleagues who are contributing and have their names on this brochure will reimburse the City for \$2,300 postage.

I want to thank Councilman Cohen, Mr. Udin and Councilwoman Valerie McDonald for raising this issue with me. We will reimburse the treasury account by \$2,300 for the postage and the mailing costs of this informational brochure on a ballot.

I will point out that there have been other ballot questions in the past and there have been City public dollars expended, but rather than beat that issue, we want to move on to implementing fully the legislative intent of the Civilian Police Review Board. We do not need any side

issues. This is the side issue. An easy way to resolve it -- I want to thank Councilman Cohen for suggesting it -- is reimburse the treasury for the postage, and it was \$2,300. We will do that this week.

I thank my colleagues also for raising this criticism in the form of constructive criticism.

Any other matter to be brought before the body? Hearing none, this legislative session stands adjourned. Thank you.

MUNICIPAL RECORD

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No. 22

Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN MASCIO.....Deputy Clerk

Pittsburgh, PA
Tuesday, June 3, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Ms. McDonald
Mr. Ferlo (Pres't)	
Mr. O'Connor	

ABSENT:

Mr. Udin

The Chair:

Good morning everyone. We'll get to our honored guests very shortly, but at this time, would you all please rise for the Pledge of Allegiance. And would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased this morning to have two young students here. Mercedes McIntyre, she's a student at Beechwood Elementary School in Councilman Cusick's district, District 4. She's in the third grade, she's 9 years old, she's an honor roll student and a citizenship honor roll student. And she's the daughter of our stenotype reporter, Bridget Akyea of the City Clerk's office.

And, also, we have Kristen Abramski. She's a student from Beechwood Elementary School. She's in the third grade, 8 1/2 years old, I have to get that half in there. And she's also on the honor roll. And they are both accompanied here by their Principal, Dr. Kupek. And we appreciate you for leading us in the Pledge of Allegiance.

**Mercedes McIntyre and Kristen
Abramski:**

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

The Chair:

Thank you. Thank you, Mercedes and Kristen. We appreciate you coming down here today with the principal. And our City Clerk would like to present you with the flag of our great nation and the flag of our City. Thank you very much for being here.

We have a number of honored guests in the audience today. And I'd like to call on Councilman Onorato then Mr. Cohen.

PRESENTATIONS

Mr. Onorato:

Thank you. At this time, the players from Perry and Oliver and also the coaches and anyone else associated with them, can I ask you all to come forward? I know you're -- some of you are kind of gun-shy, come on. And the names as you come forward. We have Joe Zagolowitz (phonetic) of Oliver, and Gus Catanese (phonetic) from Perry. Now the students, Tim Platt from Perry; Kevin Donahue, Oliver; Joe O'Malley, Oliver; Michael Kyles, Oliver. And I'm trying to read this printing. If I get it wrong, excuse me. Brandon Winters, Oliver; Carl Glover, Oliver and Terrance -- is it Fillby or Felsley? Fearby. Okay, thank you. Come on up here, stand around here. Gentlemen, how are you doing today? I'll read the proclamation, and we'll hear from some of the coaches and maybe some of the players here.

MR. ONORATO PRESENTS:

No. 1996

WHEREAS, the first annual Northern Area Football Coaches Association All-Star Football game will be held on June 14, 1997.

WHEREAS, in the spring of 1996 a group of high school football coaches got together and discussed ways to better promote high school football in the northern communities. This group of coaches decided to form the Northern Area

Football Coaches Association (N.A.F.C.A.). The primary goal was to have an All-Star Football Game.

WHEREAS, two area youth from Perry High School and six young men from Oliver High School will participate in this game.

WHEREAS, Louis Ransom -- if I pronounce some of these wrong, correct me, and Tim Platt of Perry High School were selected for the All-Star team. Louis was the 1996 Defensive Captain and Team Co-Captain and a 3 Year Letterman. He also made the 1995 and 1996 Academic All-City Team. Tim was the 1996 Co-Captain and is also a 3-Year Letterman. He was a member of the 1995 All-Area Team and the 1996 All-City Team.

WHEREAS, Kevin Donahue, Terrance Fearby, Carl Glover, Michael Kyles, Joe O'Malley and Brandon Winters, athletes from Oliver High School were also selected for the All-Star team. Kevin is one of the team's captains and he was named All City Inside Linebacker by both the Pittsburgh Post Gazette and the Pittsburgh Courier. Terrance was named All City Offensive Guard by the Post Gazette and All City Defensive Tackle by the Pittsburgh Courier. The PG named Carl, All City Defensive Tackle and the Courier named him All City Guard. Michael made the Academic All-City Football Team. The Courier named Joe to the All City Academic Team on Defense and he is a 3 Year Letterman and also a team captain. And Brandon was named to the Academic All City Football Team, is a 2 Year Letterman and a team Captain.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the above young men for their academic and athletic achievements and wishes them success in all of their future endeavors. Additionally, Council congratulates all of those individuals responsible for making the first annual N.A.F.C.A. All-Star game a success.

Mr. Onorato:

I'm going to pass these out. Joe, do you want to go first maybe, and say a few words about the program? And if Gus wants to say something, and some of the players.

Joe Zagolowitz:

Good morning. I'd like to thank Council, first of all for taking the time out of their busy schedule to honor these young men and their accomplishments. Some of them, as you have heard, are quite astounding. They've done a real fine job in their high school careers.

A number of coaches, like they said, we formed a Northern Area Football Coaches Association to have an all-star game because there was nothing really available to the City residents, of which all these young men are, obviously. We're the only two City schools that are participating in this at this time, hoping that others will in turn, you know, come on board and we can make this a first class show.

Coach Catanese is the Coach of the South team in the all-star game. Supposedly I've been nominated as the Chairman of the thing. And I've been

associated with the MACAS Coaching Association down in Beaver Falls, where we've spun off and came up here and formed our own. Again, we're hoping that it takes hold in to the City, and we get a lot more City residents involved in it.

Some of the young men, Joey O'Malley will be going to Thiel University. Tim's going to California State University. Kevin's going to Robert Morris and Lou Ransom is going to the Naval Academy. So, we're pretty pleased about that, that our young men in the City are moving on and furthering their education.

I'd like to thank you again for this opportunity.

Mr. Onorato:

Do any of the players want to say anything? This is the opportunity. Does anyone want to say anything? Okay. Well, thank you. We'll get a group photo here.

The Chair:

I want to say hello to Jerry Hunter, whose son was here also. He'll be mad at me.

Councilman Cohen then Mr. O'Connor. We're trying to juggle schedules today here. Everybody has to go first.

Mr. Onorato:

The students have the bus outside the building that's double parked.

The Chair:

We're double parked? We don't want to get ticketed.

Mr. Cohen:

Would Henry Simonds and Julia Love and Susan Rhodes please come up?

Members of Council, members of the audience, family members and friends of those who are up here, it is a real honor to be able to present this proclamation.

When you're out knocking on doors, as I've had some occasion to do the last few months, you run into interesting people who tell you interesting things about Pittsburgh that you may not have known about before. And such was the case in Squirrel Hill, when I knocked on the door of the Love family, and had an interesting conversation with them and learned about their daughter, Julia Love, who is 16 years old. And, Mr. Henry Simonds, who is a film student at Middlebury College. And Julia's teacher, Susan Rhodes of Shadyside Academy. And what the three of them did. They're going to tell you how it came about.

But, what they did was they produced, edited, directed a film about women who worked at the H.J. Heinz Company, and how they contributed to the World War II war effort by producing gliders. What they did was produce a film that tells many people about this experience. And about the courage and the tenacity of Pittsburgh women at the H.J. Heinz Company. And it's called, "Women in the Wings". A wonderful film.

And, what I'd like to do is read this proclamation, and then present each of the

three of them with the proclamation and have them tell their story.

MR. COHEN PRESENTS:

No. 1997

WHEREAS, every once in a while, through a circuitous twist of fate, history comes to life in our own backyard.

WHEREAS, her curiosity piqued by a bumper sticker advertising the 50th anniversary reunion of World War II glider pilots, Shadyside Academy history teacher, Susan Rhodes, followed that car with the bumper sticker and a great idea to produce a documentary film.

WHEREAS, but for the efforts of high school student Julia Love, who is producer, director and cowriter of the film, college student Henry Simonds, who is editor and cowriter of the film, and Susan Rhodes, that teacher, who is historian and mentor, the role of Pittsburgh's H.J. Heinz Company and some of its women employees who produced gliders for use in World War II would not be widely known.

WHEREAS, Julia Love, Henry Simonds, Susan Rhodes and several of their friends and fellow students produced a 30-minute video documentary, "Women in the Wings: Pittsburgh's World War II Workers" which will be premiered in such illustrious forums as the Radcliffe College John and Elizabeth Schlesinger Library on the History of Women and the Senator John Heinz Regional History Center.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes Julia Love, Henry Simonds and Susan Rhodes and the other

talented people who told the true story of a Pittsburgh company and its female employees who served our country in wartime.

Mr. Cohen:

Julia, Henry and Susan, congratulations on doing such a wonderful documentary. I actually had a chance to see some of that film when I was door-knocking, because I was tired and didn't want to go back out. And it was a wonderful film, and I just want to congratulate each and every one of you.

And also the families of Julia and Henry who are down here today, including Henry's grandmother, Elsie Hillman, who we're very honored to have in our chambers this morning. And I want to present -- first of all, Susan, why don't I present the first one to you so you can kind of tell the chronological story of this video. Susan, congratulations.

Susan Rhodes:

Thank you. I want to tell you that it's all true, both the documentary and the origins of the documentary. I did, in fact, follow a car on Route 28. I did, in fact, turn off when he turned off. I did accost him in a parking lot when he got out of his car.

Mr. Cohen:

That is illegal, you know.

Susan Rhodes:

I know. And, actually, it was my husband who reminded me of that. And his name is Edward McKeg (phonetic) he

is a glider pilot from World War II and he has been very generous in giving us information and time and helping us with this project.

It was a dream to begin with. It really took shape because of Julia and because of Henry. And because of the various local Pittsburgh philanthropic foundations who saw fit to fund a student project. It's a real act of faith and their generosity will long be remembered.

I also want to say that every teacher, to be a good teacher, has to have mentors. And the two groups -- an individual in a group who have mentored me through this, the individual is Frank Curdic (phonetic) who is the Heinz family historian. Whose been so encouraging and so helpful with big and small details.

And the second mentor is really a group. It's the film community of Pittsburgh. These are people who are really dedicated to their art, so dedicated that they've shared both their time and their expertise with us. And I can't thank them enough.

And then the other thing every good teacher needs is some good students. And someone once said that the best thing a student can do for a teacher is to do one better. And Julia and Henry have really done that. Thank you.

Mr. Cohen:

You're next, Julia. Julia, your interest in history and your creativity is something that we're very grateful for and I'm sure that it will continue to prosper and grow. And please accept this

proclamation on our behalf.
Congratulations.

Julia Love:

Making this film was a chance to honor and recognize the contributions made by women in Pittsburgh during World War II. The glider production at the Heinz Company was largely unknown. I wanted to preserve the story because it is an important part of our Pittsburgh history. Actually, this film honors all of the women who worked on the home front during World War II.

I want to thank my mom and dad who encouraged and supported me throughout the process. Also, I want to thank Mrs. Rhodes, my mentor. And, of course, thank you Henry for all your hard work. And all the people who made this film possible.

Mr. Cohen:

Now, you can't have a good film without a good editor, everyone knows that. And Henry certainly did that. He is a film student at Middlebury College, and I'm certain is perfecting his editing skills. And I know you were involved in more than just the editing, really in the entire film. Congratulations, and please accept this proclamation.

Henry Simonds:

First of all, I'd like to thank all my family for all the support they've given me through this.

And it's a rare treat to work on a project like this, where you get a chance to shed some light on a little piece of history

that is lesser known. And this project wouldn't have been possible unless Ken Love had taken a chance with me. I was just a college student home for Christmas who met him at a cocktail party, and he took that chance and it was a great experience.

Also, the film community in Pittsburgh has been great with all the support. And especially Pittsburgh Filmmakers whose been there pushing us through this whole process. And I'd like to thank Charlie Humphries (phonetic) for all his support. And it's just great that we had a chance to do this and tell the story about these amazing women. And I'd like to thank everyone. Thank you.

Mr. Cohen:

Again, thank you very much. We certainly want an opportunity to view the film. So, hopefully we will have that opportunity. I also really would like to thank the families who are down here and the representatives of foundations and of the Heinz family historian, Frank Curdic, who is here. You certainly have a lot of support and congratulations. Let's get a picture, okay?

Mr. O'Connor:

How do we see the film? How do we get a copy of it?

Henry Simonds:

Talk to our distributor.

Mr. Cohen:

Did you hear that? He said talk to his distributor.

Mr. O'Connor:

Is QED or someone going to show it?

Julia Love:

We're going to have a premier at the history center probably in the fall, and then at Harvard in also the fall. So, that's the premiers.

Mr. O'Connor:

Make sure we'll all invited.

Julia Love:

Sure.

Mr. Onorato:

I would -- if you could, I'm sure you will let your Councilman know. And Councilman Cohen I'd like to really publicize this on the Northside. As you know, there's a lot of Northside women that worked in that plant, and I think a lot of their descendants and relatives would really appreciate seeing this. And I'd help publicize it for you, if you let me know in advance when it will be shown. I think it's a great idea and I want to thank you.

Julia Love:

All right, thank you.

Susan Rhodes:

Can I just tell you that the project

--

The Chair:

Excuse me, Susan, could you please use the microphone? Even though you're from my district, you still have to use the microphone.

Susan Rhodes:

It really began with Julia and me riding around the Northside putting up posters in senior citizen centers and in the churches. So we are very indebted to the community of the Northside of Pittsburgh who were so supportive and helpful.

Mr. Onorato:

Well, thank you again.

The Chair:

Congratulations.

Councilman Hertzberg, I know you have a number of guests in the audience today. I do want to say hello to the Honorable Joyce Itkin who's here, our Clerk of Courts. Good morning, Joyce. Thank you for attending. Since I introduced a Democrat, I'll introduce Elsie Hillman, who I think is in the audience, a prominent Republican. We'll be bipartisan this morning. Good morning. Thank you for joining us.

Mr. Hertzberg:

Bill Hoover, would you please come forward? And anyone else that's accompanying him. I know his wife Trudy is here.

I think everyone on Council has probably seen Mr. Hoover here in Council chambers. He's been a real activist for the neighborhoods of the West End and

Elliott. And on May 19th he was honored by the West End/Elliott Citizens Council.

But, I think it's more important to bring Bill in here in Council chamber and honor him as well in front of City Council for all his community activism. This is the resolution.

MR. HERTZBERG PRESENTS:

No. 1998

WHEREAS, Bill Hoover is the current Vice President of the West End/Elliott Citizens Council, which is located in the 20th Ward of the City of Pittsburgh.

WHEREAS, Bill has worked tirelessly with the West End/Elliott Citizens Council both as a member and officer for many years; sits on both the Board of Governors for the Elliott Heights Senior Housing Program, and the Board of Directors of the West End/Elliott Joint Project.

WHEREAS, since his retirement, Bill has faithfully devoted -- and he's one of these people that when he retired, he's worked much more since retirement. But, since his retirement, Bill has faithfully devoted many hours of work both in the kitchen and delivering for the Meals-on-Wheels Program; the Community Beautification programs at both the Elliott Overlook and near the West End Library, as well as recruiting a group of volunteers who pick up trash each Saturday in the Elliott neighborhood; fundraising; and selling food and souvenirs at the Elliott Overlook on weekends and special holidays.

WHEREAS, Bill exemplifies what an outstanding community leader is, not only through his service and commitment to his neighbors, but also to his family and church.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, wishes to publicly thank him for his wonderful contributions and unselfish work.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares May 19, 1997 "Bill Hoover" day in the City of Pittsburgh.

Mr. Hertzberg:

On behalf of City Council, Bill, I want to present this to you and invite you to come forward.

Bill Hoover:

As Alan said, I've been here before espousing the beautiful place we have in the West End/Elliott area and that's the West End Overlook. You'll see a lot of shots on TV that is taken from there.

But, none of this stuff would be accomplished, and this plaque would never have gotten to me, if some of my friends went behind my back to have it done. Because I'm not looking for any glory or any praise for myself but only for the people that helped me out. And for my wife who puts up with me with all the stuff that I do, and let her stuff go by the wayside.

So, at this time, I'd like to say thanks to Alan, first of all, for getting it and for all the support he gives us. I'd also

like to thank my wife and my family. And also for Rita Lawston (phonetic), Mary Miller, Mrs. Haley, Mrs. Parks, and the Paula (phonetic) sisters, Tom Jones from West Net, Steve Beshnek (phonetic), the West End/Elliott Citizens Council board members, and all the residents of Elliott. And also Father Robert Clark from the Guardian Angel Church and also Reverend Tom Barnicott (phonetic).

We are in the process of trying to get some money from the City, which is going to be hard to do, to beautify the overlook more. And, I've heard there's some foundations here. So, we're always looking for help. Anybody that has a good foundation and wants to help improve our community, we're willing to accept your donations. And we're willing to put a plaque up there, right? For them?

The Chair:

Absolutely. A big plaque.

Bill Hoover:

And -- so that everybody can come and visit and I invite everyone to come up there. It's the best site in the City of Pittsburgh, bar none. Thank you very much and I appreciate all you've done for me. Thank you.

The Chair:

The bigger the donation, the bigger the plaque.

Mr. Ricciardi:

Mr. Hoover, you continue to be a very gracious gentleman by pointing out so many individuals that have helped in the

neighborhood and in the City of Pittsburgh. Your reputation really precedes you. I think you're doing a wonderful job and I'd just like to thank you for all the work.

The Chair:

Thank you.

Mr. Hertzberg:

And you will be hearing about the overlook as we get into our capital budget season later this year. I think you're probably remember hearing about it at the end of '96. It didn't make it for this year, but we're, hopefully we're on track for next year with it. A totally new overlook which is the best view of downtown.

Next, also involving the Elliott neighborhood, Community Oriented Police Officer Anthony Cortopassi, would you please come forward? And also Assistant Chief Moffatt. This resolution -- we also honored Community Oriented Police Officer Cortopassi on May 19th at the West End/Elliott Citizens Council award night. And this is for a heroic act. Of course, it's in the line of duty that it was done. But it is, nonetheless, a very heroic act and one that, I think, Officer Cortopassi deserves our recognition for.

MR. HERTZBERG PRESENTS:

No. 1999

WHEREAS, Anthony Cortopassi is a Community Oriented Police Officer stationed in the Elliott neighborhood of the 20th Ward of the City of Pittsburgh.

WHEREAS, on Monday, March 31, 1997, a neighbor reported a fire to

Pittsburgh Police Officer Cortopassi and he immediately ran to investigate; finding heavy smoke coming from the address, he reported the fire on his radio.

WHEREAS, not sure if anyone was in the building, Officer Cortopassi entered and found a woman inside, helped her to safety, and then when informed that her husband was still in the building, without hesitation or concern for his own safety, Officer Cortopassi re-entered the building and after an extensive search, located the resident in the back bedroom of the second floor.

WHEREAS, with smoke and fire getting increasingly heavier, Officer Cortopassi dragged the man to the steps where he was joined in his efforts by Captain Dale Hall of Engine Company #30.

WHEREAS, while taking in large amounts of heat and smoke, Officer Cortopassi risked his own life to save the life of another human being.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the bravery exhibited by Officer Cortopassi and thanks him for his dedication to duty and to the residents under his protection.

Mr. Hertzberg:

Chief, why don't we hear from you first?

Chief Moffatt:

We would just like to thank Council for recognizing Officer Cortopassi for his deeds. We also congratulate him

and support him. And we feel that Officer Cortopassi is representative of all the men and women who serve on the Pittsburgh Bureau of Police. Thank you again.

Mr. Hertzberg:

Officer Cortopassi, here's your resolution and would you like to say a few words?

Officer Anthony Cortopassi:

I'd like to thank Councilman Hertzberg for the award. And it's been a pleasure to serve the Elliott -- the residents of Elliott and the citizens of the City of Pittsburgh. Thank you.

Mr. Hertzberg:

The school crossing guards. We have a number of individuals. Would you please step forward at this time?

Our school crossing guards recently celebrated their 50th anniversary and I thank all of Council for cosponsoring this. At any point, if you want to step forward or make some remarks, you're invited.

MR. HERTZBERG PRESENTS:

No. 2000

WHEREAS, on Sunday, May 18, 1997 the City of Pittsburgh School Crossing Guards celebrated their 50th anniversary at the Greentree Holiday Inn.

WHEREAS, in 1947 the School Crossing Guard program was started as a pilot program to provide safety to children, under the supervision of James Slusser and

Joseph Flynn, and the direct command of Genevieve Sweeny McInerney.

WHEREAS, the School Crossing Guards were organized to protect school children crossing busy street corners, on their way to and from school, but they have accomplished much more.

WHEREAS, during the course of maintaining safety to children, they also cite traffic offenders and alert police to unfamiliar faces in the neighborhood they serve.

WHEREAS, on any given school day, rain or shine, 100 degrees or -18 degrees, you will see School Crossing Guards at their posts assisting, with a smile, each person, child or adult who comes to their corner.

WHEREAS, the School Crossing Guards have assisted the Police in many community fund raising activities including the annual collection for sick and underprivileged children.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates, and commends the School Crossing Guards for 50 years of tireless dedication to maintaining the safety of our most precious asset, our children.

Mr. Hertzberg:

Thank you. And we are fortunate to have four school crossing guards, as well as Chief McNeilly, Assistant Chief Moffatt. Elaine Alter is here, the supervisor; Katherine Carr, who is the President of SEIU Local 192 B, which represents the crossing guards; Maureen

Collins is the steward in the union; and Kim Tavormina, also a steward. And, I think we can begin with Elaine Alter, supervisor.

Elaine Alter:

I just want to say it's my pleasure to accept this for all the school guards in the past to the future. It's an honor and I'm happy to be a part of it. And I'm really pleased to be affiliated with an organization as proud as the City of Pittsburgh. Thank you.

Mr. Hertzberg:

And Chief McNeilly. And we were together there at the 50th anniversary it was a nice time. Chief.

Chief McNeilly:

We appreciate our school crossing guards. They do a big service to the people and the children of the community and are a good liaison with the rest of the departments. And we applaud them for all the good work that they do out there for us every day. Thank you.

The Chair:

Congratulations to all of you. Thank you very much. Councilwoman McDonald, I believe you have a number of guests in the audience this morning. And Councilman O'Connor.

Ms. McDonald:

Would representatives of Beginning with Books please come forward?

Thank you. We have Deborah El, who is the coordinator of Read Together, and Bea Saba, who is the assistant coordinator. This kind of falls in line with Stand for Children.

MS. MCDONALD PRESENTS:

No. 2001

WHEREAS, on Sunday, June 1, 1997, the Beginning with Books program, a non-profit agency affiliated with the Carnegie Library of Pittsburgh, will celebrate the 10th anniversary of its Read Together program.

WHEREAS, in existence since 1984, the mission of Beginning with Books is to meaningfully increase the number of children who become capable and enthusiastic lifelong readers. Its Read Together program began in 1987.

WHEREAS, the Read Together program has 152 children-participants, ages 3 to 11, that are read to by 179 volunteers for sixty to ninety minutes, either once or twice a week. The volunteers are diverse in ethnicity and ranging in age from high school students to great-grandparents. The program provides disadvantaged children regular reading experience, as well as providing their parents with the opportunity to pursue educational goals. Parents attend job training or literacy classes.

WHEREAS, Read Together strives to help low-income families. All children in the program are given three free books a year and families on public assistance are given free bus tickets to make regular participation possible.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Beginning with Books for its invaluable service to the community. We also congratulate the agency as it celebrates the 10th anniversary of its Read Together program.

Ms. McDonald:

I'm very proud that the Beginning with Books program is in Council District 9. It's housed in the Carnegie Library of Homewood, one of the most beautiful facilities of the Carnegie Library branches that are in the City of Pittsburgh. I'm a little biased on that. So, I encourage you to come.

And, also, we have so many high school students that Bob O'Connor is going to be giving a resolution for. And, to all the listening audience, that volunteers, indeed, are needed and are appreciated. Because it's very nice. I like to read to children, I've done it myself. I've done my due in many schools and with Beginning with Books. So, it is with appreciation that I give you this resolution. Now who would like to speak? Ms. El? Okay.

Deborah El:

On behalf of Beginning with Books, all the families, children and volunteers that participate in our program, I'd like to thank Council for giving us this award.

And, also, I would encourage everybody in this room to read to a child. Even if you don't have a child of your own, read to a child in your neighborhood. The

best way for children to learn is to be read to aloud. Thank you.

Beatrice Saba:

We really, really do appreciate this recognition and we do accept it on behalf of all the volunteers and children and families of the program. And also on behalf of Elizabeth Segal (phonetic) and Joan Freeberg (phonetic) the cofounders of Beginning with Books. Because without their vision, Beginning with Books would not be in existence today.

So, we thank you. We do appreciate this recognition and we are willing and capable and will always continue to do the work of Beginning with Books, which is to meaningfully increase the numbers of children who become enthusiastic lifelong readers. We thank you.

Ms. McDonald:

Before we have our picture, I also want to acknowledge one of the parents -- participants of Reading with Books, who doesn't want her picture here, is Louise Murphy. Thank you very much, Ms. Murphy, for coming.

The Chair:

The Councilwoman has two to be read into the record.

MS. MCDONALD PRESENTS:

No. 2002

WHEREAS, on Saturday, May 31, 1997, the Pittsburgh Coalition Against Substance Abuse and the Pennley Park

Tenant Council in conjunction with Healthy Start Region III Consortia, the Peabody High School Teen Parenting Program, Communities in Schools, and the Homewood-Brushton Collaborative will sponsor a picnic/outreach program for Teen Pregnancy Prevention Month on the grounds of Pennley Park Apartments.

WHEREAS, this program is part of the National Campaign to Prevent Teen Pregnancy as initiated in President Clinton's 1995 State of the Union address. The Campaign's mission is to prevent teen pregnancy by supporting values and stimulating actions that are consistent with a pregnancy-free adolescence.

WHEREAS, Saturday's event will provide an educational forum on teen pregnancy prevention within a recreational setting. The event will also impart the dangers of infant mortality and health risks when young women have children in their teens.

WHEREAS, it is through the efforts of these local groups that impact the lives of area teens by teaching the importance of preventing pregnancy.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the organizers of the picnic/outreach program during Teen Pregnancy Prevention Month. We also join with the entire country in working to educate our youth.

No. 2003

WHEREAS, on Saturday, June 7, 1997, Superintendent Louise R. Brennen will be honored for her 48-year career with the Pittsburgh Public Schools. Members of her family, colleagues, parents, and

community members will come together at the Pittsburgh Hilton and Towers to celebrate her dedicated service to successive generations of young people.

WHEREAS, Mrs. Louise Brennen has served the Pittsburgh Public Schools in a variety of positions, from teacher to superintendent. She was appointed a teacher at Miller School in 1950 and also taught at Peabody High School before becoming an instructional supervisor in 1962.

WHEREAS, two years later, Mrs. Brennen became an elementary school principal and served at various Pittsburgh schools for the next ten years until 1974, when she married Assistant Superintendent for elementary schools. In 1981 she was appointed Associate Superintendent, and in 1990 she was promoted to Deputy Superintendent for elementary and middle schools. In 1992 she was selected as Superintendent of Schools.

WHEREAS, Superintendent Brennen has led the Pittsburgh School District through many changes and developments. She was instrumental in helping Pittsburgh achieve the distinction of being the first urban district to have all of its schools fully accredited by the Middle States Association of Colleges and Schools. Her hard work, dedication, and most importantly, her talent have been vital to the schools across the many positions she has held.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Superintendent Louise R. Brennan for her 48 years of service to Pittsburgh Public Schools. We

also commend Mrs. Brennen on her considerable commitment to the education of the youth of our City.

The Chair:

Councilman O'Connor. Thank you for your patience today.

Mr. O'Connor:

Will the students and coaches of Allderdice please come up?

We have the Principal of Allderdice, Dr. Robert McMurray; John Regent, the Athletic Director; Coaches Phyllis Sanguini and Ed Flynn; and we have students from -- student athletes from all the teams. I appreciate your long wait. It's been almost an hour. But, we got a good history lesson today sitting here, anyhow. You learned something about Heinz and quite a few other things.

MR. O'CONNOR PRESENTS:

No. 2004

WHEREAS, Taylor Allderdice is a school known as being exemplary for its academics and has consistently proven itself to be outstanding in sports as well.

WHEREAS, Allderdice has excelled this past fall, winning the City League Championships in each of the following sporting events with young athletes who can be very proud of his or her part in this success:

BOYS' SOCCER
GIRLS' SOCCER
COED CROSS COUNTRY
GIRLS' TRACK
BOYS' TRACK

GIRLS' VOLLEYBALL
BOYS' SWIMMING
GIRLS' SWIMMING
BOYS' GOLF
GIRLS' TENNIS
BOYS' TENNIS

WHEREAS, these teams have exemplified the kind of dedication, skill and sportsmanship of which the Allderdice Dragons can be proud, and which all Pittsburgh Public Schools can work to attain.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate these teams and athletes for exceptional performances this year.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, June 3, 1997, to be "Allderdice Dragons Day" in the City of Pittsburgh.

Mr. O'Connor:

And I'll have Dr. McMurray is the Principal. I'll bring you up to accept and then I want to introduce the coaches. Congratulations.

Dr. McMurray:

Thank you very much. The concept of student athletics is certainly one which has proven its value time and time again to the American public. As corporate America seems to often decry the fact that in its perception our graduates lack teamwork skills, problem solving skills, the lack of motivation and commitment to a goal, these students give

evidence, indeed, that those perceptions are unfounded.

I was once advised to not sweat the small stuff. And that's always been advice that I've ignored, and even grown to abhor. Because the reality is, if you sweat the small stuff, if you pay attention to details, if, indeed, you master the fundamentals of your craft, then the big stuff takes care of itself. And I think we've proven that with eleven championships out of seventeen sports.

Our student athletes, really on the playing field and in the gymnasiums, learn these skills that really are going to provide them with what is necessary to develop what we might call a career, or academic passport for success in the 21st century. And, so, it's these students who are emblematic of many of the fine students we have. Not only at Allderdice, but throughout the City of Pittsburgh.

And, also, that great attention to detail, the mastering of fundamentals, I hope has proven to them that you win in life not by being smarter or stronger or luckier than your opponent, but simply by outworking that opponent by putting forth that effort. So your interest and acknowledgment of these students today is as much for their effort as for their achievement. And we certainly thank you.

Also with us, as Mr. O'Connor said, is Phyllis Sanguini who led the Women's Swimming team to the championship. And Ed Flynn who produced champions in Cross Country, Track and Men's Swimming. So, these are coaches of which we're extremely proud.

And, also, when you win eleven championships in seventeen sports, you have to certainly acknowledge the Athletic Director who does all the work in guiding, evaluating coaches, arranging for officials and transportation, all of these things. And that's Mr. John Regent. And, at this time John, if you would come forward and introduce the players for the various sports.

John Regent:

I'd like to take a minute here to introduce some of the captains that have appeared today.

In Boys' Track we have Max Itkin. Raise your hand, please. Girls' Tennis, Melissa Hunkele; Boys' Tennis, Brian McDermott and Adi Altman; Boys' Soccer, Josh Pearlman, Marc Rockmore, Lauren Scher; Golf Team, Will Yahr; Girls' Track, Kate Goldhaber, Lauren Smith; Girls' Swimming, Lauren Smith; Cross Country, Kate Goldhaber, Max Itkin, Shari Rogal; and in Boys' Swimming, Atsushi Matsumoto, Phil Niehaus, Chris Deely and Lauren Scher.

On behalf of all the athletes and coaches at Taylor Allderdice, I'd like to thank Councilman O'Connor for caring about Allderdice and doing this for us. Thank you.

Mr. O'Connor:

The golfer, you want to come up and say a few words? Some of my colleagues need a little tips. They need a lot of help in golf. Especially Onorato, give him some advice.

Will Yahr:

I'm up at Schenely every week, I got a pass and just come up and join me whenever you'd like. Thank you.

Mr. O'Connor:

Max has a little politics in him. His mother's here. You want to say a few words?

Max Itkin:

On behalf of the Track Team, I'd like to thank Councilman O'Connor for this award. And it's an honor to be recognized by City Council for our athletic achievement.

Mr. O'Connor:

We have to have a female athlete say something.

Lauren Smith:

I'd like to thank all of you for coming and watching us be honored. It's really nice to see that people, like, really care about us because Allderdice really works hard. And it's nice of Mr. O'Connor to help out, also. Thank you very much.

Mr. O'Connor:

Thanks a lot for coming down and keep up the great work.

The Chair:

Congratulations to all. Thank you for your good work. Councilman Onorato has one to be read into the record.

MR. ONORATO PRESENTS:

No. 2005

WHEREAS, on June 1, 1997, the Stand for Healthy Children Day will take place. During this event individuals from all backgrounds will assemble in their communities across the country to renew their commitment to bettering the quality of our children's lives.

WHEREAS, on this important day, citizens, families, religious congregations, schools, community-based organizations, businesses and political and cultural groups will join together as one community to recognize the health needs of our children and rededicate themselves to addressing these issues.

WHEREAS, caring for the health of our children must be a top priority for our families, our communities and our nation.

WHEREAS, this commitment must begin at the local level where children and families live and work and have the potential to thrive and where all citizens, working together can make a difference in our children's lives.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges all citizens to support the Stand for Children activities and encourages individuals to dedicate themselves to the task of improving the health and quality of life for all of our children.

BE IT FURTHER RESOLVED, that the Council declares Sunday, June 1, 1997, as Stand for Children Day in the City of Pittsburgh.

The Chair:

Thank you very much. And I believe that concludes our read and adopted. Moving to presentation of papers.

MR. COHEN PRESENTS:

No. 2006

Resolution authorizing the issuance of a warrant in the amount of \$12,980.00 in favor of Rudy Lopez, Jr., in payment of contract for demolition and removal of three story brick dwelling located at 1266 Spring Garden Avenue in the 24th Ward.

MR. CUSICK PRESENTS:

No. 2007

Resolution providing for the lease and/or license for the use of certain property for a community recreation center located at 200 Taber Street in the -- at a yearly rental cost not to exceed \$9,300.00.

MR. O'CONNOR PRESENTS:

No. 2008

Resolution providing for the issuance of a warrant in favor of George Eli Associates in the amount of \$2,653.00 for replacement of the entire frame of the Poligan Shelter to be placed at the Riverview Park Centennial site.

No. 2009

Resolution providing for an agreement or use of existing agreements with the consultant for Architectural Engineering Services in connection with

the various City projects. Cost not to exceed \$325,000.00.

No. 2010

Resolution further amending Resolution 1018 effective January 1, 1997 as amended entitled "Adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program and improving the 1997 through 2002 Capital Improvement Program by increasing a line item Architectural Engineering Services by \$250,000.00 from \$75,000.00 to \$325,000.00."

No. 2011

Resolution providing for a contract or use of existing contracts for the installation of traffic signal equipment at various intersections at a cost not to exceed \$25,000.00.

No. 2012

Resolution providing for a contract or use of existing contracts for the Chartiers Avenue/Hillsboro Street intersection improvements at a cost not to exceed \$200,000.00.

No. 2013

Resolution further amending Resolution 1018 effective January 1, 1997 as amended entitled "Adopted and approved in the 1997 Capital Budget and the 1997 Community Development Block Grant Program and approved in the 1997 through 2002 Capital Improvement Program by increasing a line item Neighborhood Street Improvements by

\$200,000.00 from \$1,350,000.00 to \$1,550,000.00."

MR. RICCIARDI PRESENTS:

No. 2014

Resolution providing for a contract or use of existing contracts for concrete sidewalk repair/replacement in CDBG areas in the City of Pittsburgh at a cost not to exceed \$12,000.00.

No. 2015

Resolution amending Resolution 315 effective May 14, 1996 entitled "Providing for a contract for concrete pavement maintenance, rehabilitation and replacement throughout the City of Pittsburgh by increasing the total project allocation by \$18,698.00 from \$165,000.00 to \$183,698.00.

MR. UDIN PRESENTS:

No. 2016

Resolution providing for the issuance of a \$990.00 warrant in favor of Delores Wyne in settlement of claim for an incident in which claimant's vehicle was struck from behind by a City EMS vehicle.

No. 2017

Resolution providing for the issuance of a \$2,154.00 warrant in favor of Jennifer Parsons in settlement of claim for sidewalk damage due to a City tree roots.

No. 2018

Resolution providing for the transfer of the amount of \$400,000.00 from Code Account 45 Health Life

Insurance Municipal Employees
Department of Finance to the Special
Summer Food Service Program Trust
Fund Department of Parks and Recreation.

THE CHAIR PRESENTS:

No. 2019(#8)

An Ordinance amending the Pittsburgh Code Title 4 Public Places and Property Article 1 Streets and Sidewalks Chapter 419 regulated activities to authorize the display of advertising signs on public transit shelters and community shelters.

No. 2020(#8)

An Ordinance amending the Pittsburgh Code Title 9 Zoning Article 4 Regulations Applicable to all Districts Chapter 987 signs to regulate the display of advertising signs on public transit shelters.

The Chair:

I'd like to ask for motion of waive Rule 8 on these bills. They have to be referred to the Planning Commission. All in favor.

Council:

Aye.

The Chair:

Thank you very much. Councilman Udin is absent today. As you know, he's attending Government Finance Officers Association for the week, along with our budget staff.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

Bill No. 2021:

Report of the Committee on Finance and Budget for May 28, 1997, transmitting sundry of resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Bill No. 1961:

Resolution providing for the issuance of a \$5,000.00 warrant in favor of Allegheny Cemetery in settlement of claim for accident involving a City refuse truck.

Which was read.

Also,

Bill No. 1962:

Resolution providing for the issuance of a \$1,125.00 warrant in favor of Teresa Bedo in settlement of claim for sidewalk damages due to City tree roots.

Which was read.

Also,

Bill No. 1963:

Resolution providing for the issuance of a warrant in the sum of \$3,200.00 to Denise Brooks in full and final settlement of an accident alleging personal injuries which were caused by a City of Pittsburgh garbage truck.

Which was read.

Also,

Bill No. 1964:

Resolution providing for the issuance of a warrant in favor of Lexis-Nexis in payment for computer user research services for the month of April, 1997, at a cost not to exceed \$3,446.00.

Which was read.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. O'Connor
Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Ferlo,
	President

AYES Eight NOES None

MS. MCDONALD PRESENTED:

Bill No. 2022:

Report of the Committee on Housing, Economic Development and Promotion for May 28, 1997, transmitting sundry of resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1956:

Resolution approving execution of a Contract for Disposition of Land By and Between the URA and Albert Elovitz, Inc., for the sale of Parcel 1 in the 6th Ward of

the City of Pittsburgh in Redevelopment Area No. 47, located at 3001 and 3019 Penn Avenue for the construction of distribution facility and office.

Which was read.

Also,

Bill No. 1957:

Resolution approving execution of a Contract for Disposition of Land By and Between the URA and the Pittsburgh Economic and Industrial Development Corporation for the sale of Parcels 4 and 6 in the 24th Ward for the construction of an office and assembly facility.

Which was read.

Also,

Bill No. 1958:

Resolution approving execution of a Contract for Disposition of Land for the sale of Part of Parcel 1 Subdistrict 2 East and Part of Parcel 1 Subdistrict 1 East By and Between the URA and the Pittsburgh Economic and Industrial Development Corporation said Parcels located in the 4th Ward and Redevelopment Area No. 50, One Technology Drive.

Which was read.

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen	Mr. O'Connor
Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi

Ms. McDonald Mr. Ferlo,
 President

AYES Eight NOES None

Mr. O'Connor:

I want to abstain on 1957 and 58, aye on the other bill. Only because I needed some more information. It was partially my fault for not having the time to get all the information yet.

The Chair:

All of the bills, having received the legally required number of votes have been approved finally.

That concludes our reports of Committees. Under motions and resolutions, I want to remind our colleagues we have a brief post agenda meeting immediately following this session. An informal meeting regarding the Pittsburgh Community Services Agency and the Project Lifeline, the gang diversion project that we helped fund this past year. They want a little bit of your time.

And, we also have a public hearing regarding the Federal North Tax Increment Financing. I believe that's this afternoon at 2:00. There are no speakers, but we need to have a public hearing and go over all the details of the project. As well, I think the School Board was invited. They may have some concerns they want to express.

Any other matter to be brought before the Body? We'll go right down the line. Mr. Ricciardi, Mr. Onorato --

Mr. Ricciardi:

Yes, thank you, Mr. President, colleagues. I'll be very brief because of the busy afternoon.

Several years ago, this Body approved a Sign Program throughout the City of Pittsburgh. And the signs were supposed to help people, number one, get around. Also, point out some of our regional assets and really give the visitors an opportunity to find themselves a way around the City of Pittsburgh.

I've been very concerned over the last several months. You don't find any of the Wayfinder signs south -- in the South Hills neighborhoods. You don't see them in Gene Ricciardi's neighborhood, you don't see them in Alan Hertzberg's neighborhoods or Joe Cusick's neighborhoods. I understand that you have to start somewhere.

My concern is that I would like a complete accounting from the Administration working very closely with our budget offices on how the monies have been spent. It's my understanding that they're at the end of the line and they didn't even start in the South Hills neighborhoods. And I find that very interesting.

It's also -- in the past, businesses or other organizations, hospitals or other institutions were able to purchase signs. That money was supposed to go back into the fund for a revolving door. I believe that many institutions throughout the City of Pittsburgh, did not purchase their signs. But, instead, received them for free. That meant that someone, or that money had to come from somewhere. And I think what happened was, poor management ate into those funds and, unfortunately, south of

the river, the South Hills neighborhoods do not have Wayfinder signs.

Now a lot of this is just speculation. I've made several calls into the Administration over the last few months, and have received no response. But, I believe that I would like to ask our City Clerk's office and Budget Department to ask for a complete accounting of all the money that was allocated to this Wayfinder's program; the monies that have been spent; the location, the location of all the signs; the type of sign each throughout the neighborhoods, meaning that -- and who purchased the signs? Were they purchased by the foundation, which, I believe, was \$600,000.00 donation? Was it purchased by the grant? Was it purchased by Federal dollars? Was it purchased by the business community or the institution, or was it given free? And how many -- how much dollars are left, and when are they going to start in the South Hills neighborhoods? Thank you.

The Chair:

On this subject, now. Other discussion?

Mr. Onorato:

On this subject.

The Chair:

Okay, just on this subject.

Mr. Onorato:

Yeah, I think Councilman Ricciardi's comments are very timely. Yesterday, I was just telling Mr. Ricciardi before he decided to speak about this, that

Mr. Furth (phonetic) who was one of the consultants that were hired to do this project. I was involved about two and a half years ago when they had a ADHOC Committee together that wanted to put these signs together, and we met with the foundations. And Councilman Ricciardi is absolutely right.

What happened when Mr. Pollack (phonetic) left the Administration and moved on, he was the point person for dealing with the signage program. That's everything from the sign contracts that you're referring to, the people who should be paying for the signs, to planning the expansion. And, it's my understanding, that East Carson Street over to 51 was the next phase.

But, right now, with his departure, there seems to be a question of what exactly is the plan, and what's the coordination that was left behind, and what should we be doing? I would request, and I will do it, but I will do it, maybe, with Councilman Ricciardi since he's Chairman of Public Works, I think we probably should have, also have a sit down with the post agenda. Just to organize the expansion from this point forward.

It should be pointed out that about four or five other cities have come to Pittsburgh, and are adopting the program we put in place, from just the small scale they've seen. And it can work and be very successful. But, I'm concerned, that if this isn't properly supervised from this point forward, it could turn into a failure. But, right now, it has been very successful, but it has to be expanded throughout the City.

And, it was my understanding that, there is money available. So, obviously,

we're hearing two different things. I don't know if it's true or not. Councilman Ricciardi heard that the money's used up. I'd like to know that answer. So, I will be working with Councilman Ricciardi to have a post agenda to do some major follow-up on a lot of questions concerning this program.

Mr. Hertzberg:

Thank you, Mr. President. I'm glad Councilman Ricciardi brought this up. Very timely in light of Mr. Hoover being here earlier. In fact, he's been working for about the past four years to try to get some signage for the West End/Elliott Overlook. That neighborhood of Elliott is trying to pick itself back up as a business community based on tourism. There's absolutely no signs to tell you how to get up to the Overlook. Even though, I think, some of the bus drivers may know how to get there and, of course, everyone from that area knows how to get there. But, telling the whole tourist community that's out there how to get up to the West End Overlook, there's no -- West End/Elliott Overlook, there's no signage whatsoever. And it's not really easy to get up there, if you don't know where you're going.

And they lobbied for about the last four years to try to get some signage. And they were constantly put off by being told, "Hey, the Wayfinders system is going to do this for you. We're going to get the signs. We're getting to you, we're getting to you." Well, they're not there.

So, I'm glad that Councilman Ricciardi has brought this up, and I'll be very happy to participate in a discussion to see where we are and where we can go.

Mr. Cusick:

I, too, want to designate and make sure people know where communities such as Beechview, Brookline, Overbrook and others were located.

We have one of the finest restaurants, two of the finest restaurants, Palio's, Davio's, that people come in from all over the place, other states, other communities. And, unfortunately, you can't find Beechview. And that is real unfortunate. It's only five to seven minutes away from the downtown area. Mr. Ricciardi, also down there on Carson Street, has some of the nicest restaurants, that the cultural district and people that are using our sports facilities, would be more than happy to go up and look at. And that is something that I've battled with the Administration over. What I did, was I went up on like Crane Avenue and the main thoroughfares that enter my communities, Pauline and Quencil, and I said, "Welcome to Beechview" signs. Now, I know that they don't get you there, but at least if you're going by, you realize that you're in the vicinity.

I just -- I would hope that the Mayor would move swiftly to make sure that that happens. There's so many good things that are happening in this City on the north, the east, and also in the south of Pittsburgh. And, unfortunately, we're not getting our due.

Mr. Cohen:

Thank you, Mr. President. I want to commend Councilman Ricciardi on bringing up this important issue. This was not a cheap program. This was quite an expensive program, if I recall. I don't

know if you have the actual numbers, Councilman, but it certainly was well over a million dollars. And it was intended to be a citywide program.

So, I just want to show my support for your effort, Councilman Ricciardi. And will certainly support the assurance that it be a citywide program, including West End/Elliott and south of the rivers.

The Chair:

Other discussion before we sign off on the sign program here?

I would only ask my colleagues to read the record of this public discussion that Council had a couple years ago when we discussed this whole issue. I would just say that.

In any event, it's one of those usual Jim Ferlo "I told you sos". But, if we would have just paid Matt Walsh to put the signs up instead of lining the consultant's pockets, we would have done better, believe me. I don't know when we're going to start learning about that.

In any event, other discussion? Different issue. Councilman Onorato, we'll go right down the line.

Mr. Onorato:

Yes, Mr. President. And maybe you and Councilman Cohen can add some light on this. I was just concerned last week on reports that I read and saw in the media, and I just want to make sure that we get off on the right foot dealing with the development of the Civilian Review Board. I mean, it passed and we have to

work together, the nine of us with a lot of community input.

And it was kind of misleading, what I heard and read, that hearing some of the community advocates talking on TV about what they see as what the process should be. And, I can tell you, it was a lot different than what I thought the process was going to be. And, I know a lot of times we form these subcommittees, and you formed one here.

But, if you could elaborate on what you think and when the nine of us are going to be an integral part of this discussion. Because I think it's important, the sooner the better, on this particular issue, only because of how volatile the issue was. And the fact that we're beyond the issue of the debate, are we going to have it or not, it's now about implementing it. And I want to be part of that discussion somewhere along the line. I don't want to be handed something nine months from now and say vote it up or down. If you can elaborate on how you see this going forward.

The Chair:

Let me just reclarify it, because sometimes with the media's involvement they really confuse the issues.

The convening of a subcommittee of Council, with myself and Mr. Udin as the Finance chair, and Councilman Cohen who chairs the Public Safety Committee, and Councilman Ricciardi, was a way to facilitate an interaction with the Mayor and the Solicitor regarding the fact that at some point in the next couple weeks, presumably, we will receive an official certification from the Board of Election to

the Clerk notifying as that, indeed, a referendum ballot question has passed. And, in fact, the Homewood Charter has to be amended and was amended. Now, we need that certification as well with the language of that actual amendment will be.

In order to facilitate that, I thought, having a working subcommittee that could meet and not violate the Sunshine Act. And that's why I didn't have Councilwoman McDonald on it and others, because of the four people as opposed to five or more of the majority of colleagues who would not be able to meet, but would only be able to meet publicly. So, it was just a way to begin the discussion.

As I stated a couple weeks ago, in no way is that group in any way nullify, or in any way lessen the input and the decision making by each and every colleague every step of the way, regarding what this Civilian Review Board is going to look like, including the whole appointment process, etc. So, the only thing we're attempting to do at this point, right now, was to facilitate a discussion with the Mayor and the Solicitor.

The feeling is that there will be at least some enabling ordinance that would have to be adopted. But, our opinion is that, in effect, that an ordinance pretty much was adopted in a language of the charter amendment itself. So Councilman Cohen is sharing the subcommittee. We worked out a time line, just in terms of moving the discussion forward.

Now, I know, certain groups have been given a certain status by the media. Let's make it clear. As far as I'm concerned, ultimately it's this legislative

body and the Mayor that have to decide the implementation of this. And, as far as I'm concerned, any individual resident or citizen will have a like and equal voice and ability to raise concerns or suggestions, whatever, criticisms, support through a formal public process. Presumably, we would hopefully have a public hearing on whatever this enabling legislation would be. As well, a number of colleagues have even suggested that we have a formal public hearing on any prospective nominees or candidates for this board. And that we have a detailed background review.

That burden, or that leadership has to come from this City Council as a legislative body. Not from an advocacy group in the community, not from the FOP, not from anybody. As far as I'm concerned, it's this legislative body and the Mayor that needs to move and bring this board into fruition and existence. And I think we're very capable of doing that.

We've got to start the ball rolling somewhere, and I was just attempting to facilitate what the enabling bill would be, the manner in which we would all individually make nominations, as well the Mayor's prerogative. As you know, it's a seven member board with three appointed directly by the Mayor, four appointed from recommendations of this Council of each nine member making a suggestion, and ultimately Council as a body confirming whatever the appointment -- individual's going to be.

And I'd like to ask Councilman Cohen to elaborate a little further on my outline I just gave you.

Mr. Cohen:

Thank you. And, Councilman, thank you for bringing this up. Because I think there were some misperceptions that I'd like to also try to clear up.

The meeting last week was purely a subcommittee meeting to discuss the process by which a Civilian Review Board is going to be set up. That process will certainly be a public process and a thorough process. One of the issues that was raised by the media that I'd like to correct, is the timing. Because, remember this is a two-step process.

The first step is that we have to pass enabling legislation for the Civilian Review Board. And that includes issues such as budget, staffing, those issues that were not in the referendum itself, but, obviously, need to be resolved. That process will certainly involve every single member of Council, and will invite the public to participate in that process. So that's the first step. The second step then, is actually appointing members to the board and making sure that those appointments are outstanding citizens, responsible citizens.

The -- some of the media reported that it was our intent to have the Civilian Review Board up and running by the end of June. That is absolutely not possible. And no one said that. I did not say that. The hope is to have the enabling legislation for the Civilian Review Board introduced by the end of June, and hopefully passed by early July. That's only the first step.

So -- one of the questions you had, Councilman, was the timing. This is in no way going to be railroaded through, it's got

to be an expeditious process, but also a public and a thorough process.

The Chair:

I thought at least with four colleagues meeting with the Administration, they would be able to at least come back with some elements of a consensus on everything from staffing and budget to, you know, all the different issues that we're attempting to deal with. And, I would hope, that that would be through a public hearing process, where everybody would have the prerogative and the ability to make a comment.

I believe this does not need to be a bloated bureaucracy, but something that's cost effective. But there are issues involving what the OMI structure would look like in the future. So, again, a lot of these issues should be kind of discussed and brought back to the Body.

In the meantime, we did make a public comment about if there are individual residents or groups, or others out in the Pittsburgh community, who either individually would like to serve on this Board, or would like to make a nomination, we suggested that they communicate directly to their District Council Member and/or the Mayor, regarding any prospective nominees for this Board. That's something I could really start right now, and we would encourage individuals to send a formal resume, or an interest letter of whatever sort. But, at some point, this Body may decide that we want an actual questionnaire responded to in terms of prospective candidates.

So, we need your input on all those different issues.

Mr. Onorato:

I appreciate both answers. I think it clarified a lot for me.

The one concern I have, I guess, is we're all trying to get beyond the initial, beyond the vote now, and what exactly are we -- what are we starting from, what common ground? I know there's been an initial question, exactly what was voted on? What exactly was passed? Does the subpoena power exist, or doesn't it exist? How detailed was the selection process? Because the question, you had a summary of the question, and then you had a little more above it, and then there was a paper behind that somewhere.

And, I would like to have the Solicitor at least address that, just so I know where we're starting from and what kind of movement the nine of us have, once the five of us decide where we want to go with it. And what can't we touch, because it was passed. And I don't know that answer yet, but I'd like to have some kind of response.

The Chair:

I would ask Councilman Cohen, as Chairman of Public Safety, who was to meet with the Board of Elections and also the Solicitor on those very issues, but just to be clear even the ballot question itself on the ballot contained the subpoena power language. Just so we're clear about that.

Mr. Onorato:

Well, I would like to have the Solicitor respond exactly --

The Chair:

I understand.

Mr. Cohen:

Councilman, a good question, it's one of the initial questions I had. I've met with the Solicitor once on it, I'm meeting with her again this afternoon. And what I will get for every Council Member is a letter, in writing, from the head of the County Election Department, who really has the authority on this, to say exactly the language that was passed. And just make sure that every Council Member gets that. I hope to have that in the next couple of days. I mean, it's fairly clear to me what it is. And that is that there was a more detailed referendum description that was summarized on the ballot. On the ballot, as you know, you can't have more than seventy-five words. So it wasn't just what was on the ballot, it was a more detailed description, which comes to about one page, or so. But I'll make sure that every Council Member gets that, and answer any questions you have.

Mr. Onorato:

And on that point, I guess, that's where they'll break down exactly the wording that was on the ballot, and then the wording that was not on the ballot that backed up the ballot question. It appears -- it would seem to me that we can at least start with the assumption whatever was written on the ballot was passed.

Now, this additional language that was backing up the ballot question, I don't know if there was anything controversial in there or not. But, if there was

something in there that is in the least controversial, if there is, I'd like to know what the legal position is of that. Does it automatically -- are we assuming that that's passed, or are we taking the position that's up for negotiation? I don't know the answer to that question yet.

Mr. Cohen:

I'll get an answer for you. I think the answer is that what passed was the language on the petitions, which was longer language. But I'll make sure that you have, in writing, from the County Election Board exactly what the language is.

The Chair:

The actual language suggested for the creation of the Civilian Review Board, is the language in the narrative format that specifically changes the Homewood Charter as on the actual petitions that individual voters signed. The Board of Election, both administratively, procedurally, and under state statute, complied with a seventy-five word minimum of the actual words that appeared on the ballot.

It is our contention, and certainly share this with the Citizen's Coalition and anybody else, that, in effect, what was amended was the actual language of the petition. We're clarifying that. But, in any event, we also believe that we should have an enabling ordinance codified with the City code to clarify that.

So, at this point, that whole debate will be coming back to you and everybody for discussion.

Mr. Onorato:

And I appreciate that. But I just want to make it clear, and I want to bring it out today so that none of us are caught off guard.

Any language that was not on the ballot, that the people could see that they were voting, if there's something in the additional language that was part of the petition that is extremely controversial, I'm not taking the assumption that is automatically passed. I could be wrong, but I want to talk with the legal department. If there's something on there. I don't even know what it says, I want to see what wasn't on there.

The Chair:

And that's why we're not being presumptuous here. We're basically defining the process. And the suggestion was, not only the input from the Solicitor and the Board of Elections, but also that we have a corresponding enabling ordinance so that we can fine tune and legally stipulate.

Mr. Onorato:

Okay. Thank you.

Mr. Cohen:

I think you'll find that what was on the ballot really is just a summary, Dan, and not have anything more controversial in the longer petition language. But, please, look at both of them. If you see something that you believe to be controversial, let's bring it up, but only after you see both.

Mr. Onorato:

Okay. Thank you.

Mr. Cusick:

One of the things that I think, and I thank you for bringing it up Councilman Onorato, was just that we're going to start a process in which, I'm sure, that the FOP will challenge. Because of the way that the Election Department may interpret the referendum question. Their interpretation may be different from what the people or the people that are against the Civilian Review Board, may be leaving it further to the Courts to make a better interpretation. Is that what's happening right now?

The Chair:

Obviously, I'm attempting to build a consensus here. Not the majority, but the minority of this Council supported the bill in the first place. Now, the bill has been adopted by all of the electorate in the City by a majority.

Mr. Cusick:

But, it is my understanding --

The Chair:

And what I'm trying to do, is clearly build a consensus so that this Council --

Mr. Cusick:

I'm not saying that. What I'm saying is we have something now. Now, we're not sure what we have, the whole --

Mr. Cohen:

No, we are sure.

The Chair:

We are sure of what we have.

Mr. Cusick:

There will be -- I would assume that there will be a challenge of that interpretation.

The Chair:

Well, I don't think there should be, because there's nothing to challenge. I don't -- I'm not going to create a spectra that doesn't exist. There's nothing really to challenge.

Mr. Cusick:

It is my understanding that's what's going to happen. So, we should be making sure that we --

The Chair:

Are you speaking for the FOP now or are you speaking --

Mr. Cusick:

No, I'm just telling you what I've heard, and I think that we should probably --

The Chair:

Well, I would hope that this Council, democratically is going to implement and keep good faith with the voters. And the voters have spoken on this issue. And, I believe, even those among

you who did not support, and I respect your view, although I did not agree with it, I do believe that a majority will, in effect, move quickly to bring the wishes of the voters to fruition.

Mr. Onorato:

I just wanted to just clarify because I don't want any of my comments misinterpreted with the comments that were just made.

I make it very clear the voters have spoken and we have a piece of legislation. And I only initiated this conversation, in my role as an elected official, that the nine of us are going to debate this issue and the five of us or more, are going to decide what it looks like, the final product.

The Chair:

Right.

Mr. Onorato:

The issue of should we have it, is over. I'm not challenging, I'm just saying I want to be part of the process as we develop the details.

The Chair:

And I hope the debate will be, do we have six staff people or two staff people? Do we have an office here or an office there? Or do we have this individual nominee on or this nominee on? That should be the element of debate among this legislative branch. Not moving expeditiously and appropriately and prudently to implement the creation of the board itself. And, obviously, we need

the input of the Mayor and the Solicitor in these matters.

But I think we want to keep in good faith what the electorate and their wishes. And I think they've spoken. And I hope that whatever we disagree or agree to disagree on, is going to be more on what this individual entity looks like, budgetarily and location and the board nominees. That's the proper division or debate that might exist in the future on this Body. It's not going to be that we have, the board has subpoena powers, and all the other things that are legally enumerated, both in the petition and on the ballot question.

And, as far as the FOP, they have a right to do whatever they're going to do, and I'm sure they're going to do it. And, as well, others have a right. And I remind this colleague, as Councilman Hertzberg has in the past, that when there was a dispute with the Controller's office, it was a Court of Common Pleas Judge that reaffirmed the fact that the charter says that we need a staff and an independent Controller. I hope that we're going to build a consensus and not have anything go to the Court of Common Pleas or anywhere else. I think we can do that. We're up to the task, and I'm sure we're going to do it, and we're going to do it expeditiously and prudently over the next couple of months. Any other discussion on any other matter before the Body? Again, we have a brief post agenda and then we have a public hearing on the Federal North Tax Increment Financing at 2:00. And with this, this public -- excuse me, this public session, legislative session now stands adjourned. Thank you.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXXI

June 10, 1997

No. 23

Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, June 10, 1997

PRESENT:

Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Ferlo
	(Pres't)

ABSENT:

Mr. Cohen

The Chair:

Good morning everyone. We have some special guests in the audience then we'll move shortly to the Proclamation.

At this time, would you all please rise for the pledge of allegiance and would you please remain standing for a moment

of silent prayer so that we may have peace throughout the world.

We're very pleased this morning to have a third grade student. He's eight years old. His name is Tyler Gramm. He's from Councilman O'Connor's District. He's a student from the Clara Barton Elementary School. It's actually in West Mifflin. He's the son of Jim Emerald who's the City of Pittsburgh employee in the Department of Public Works and Environmental Services. He has his whole entourage family delegation with him. His mom is here; Cathy Gramm, his grandfather, Bill Flaherty; and his grandmother, Marlene Emerald.

Tyler is going to lead us in the pledge of allegiance.

Tyler Gramm:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation, under God, indivisible, with liberty and justice for all.

The Chair:

Thank you, Tyler. Our City Clerk would like to present you with a flag of our great Nation and a flag of our City. We want to wish you a safe summer. If you have a bike helmet, make sure you wear it.

We have a number of guests in the audience today. At this time, I'd ask the

Any other discussion on any other matter before the Body? Again, we have a brief post agenda and then we have a public hearing on the Federal North Tax

Increment Financing at 2:00. And with this, this public -- excuse me, this public session, legislative session now stands adjourned. Thank you.

delegation from the National Foundation for Teaching Entrepreneurship to come forward, please.

As you can see, a lot of the proclamations are behind me. They're copies of the following resolution. They're mostly going to the young students that have been the participant in this very exciting program. I'd like to ask your support for the following resolution. Then, I'd ask for some of our representatives from the board and the staff of this organization to say a few words.

PRESENTATIONS

MR. FERLO PRESENTS:

No. 2023 WHEREAS, the National Foundation for Teaching Entrepreneurship or the NFTE is a national non-profit organization which provides positive, economic alternatives to the streets for inter-city at-risk youths by teaching them entrepreneur skills; and

WHEREAS, the NFTE offers its students practical, hands-on, well-creator techniques, and business knowledge, enabling them to achieve financial independents which result in increased self-esteem based on accomplish and helps to instill in them a sense of dignity and self-worth; and

WHEREAS, the NFTE has trained over 9,000 young people in the art of Entrepreneurship since its founding including nearly 100 young adults who are graduating from NFTE programs here in Pittsburgh in the area including Alderdice High School, Langley High School, Manchester Craftsman Skills, Northview

Heights Citizens Council Youth Empowerment Program, Oliver High School, McKeesport YMCA and the Steel Center AVTS.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims June 10, 1997 to be the National Foundation for Teaching Entrepreneurship Day in the City of Pittsburgh.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate the following 1997 Pittsburgh area graduates of the National Foundation for Teaching Entrepreneurship for their accomplishments.

Since my colleagues represents many of the districts here, I'm sure they're going to be very supportive of this resolution.

MR. UDIN moved to second the motion.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

The only reason why I read these names is we'll probably have a taped video. They may want to, at least, here their names read even though I'm sure I butchered some of them. Since this is the only Proclamation here today, we thought we'd take the extra time.

Again, this is a very important organization that's been around for a number of years. We have some guests here today to my left, most importantly is Yvonne Gilmore who's the actual director

of the NFTE. We have Steve Marioudi (phonetic) who's one of the founders and president of this organization. I gentleman I had the pleasure of meeting with over lunch recently, Joe Love. He has his own company, Grilla Marketing and he's a NFTE supporter. An old time friend of mine, John Rosenstern who's now with Smith and Barnie and he's also on the NFTE Advisory Board. John's been very active in the community with a lot of different organizations raising a lot of funds for some very important non-profit causes. We appreciate his support and leadership always. Delane Ratay is the NFTE Administrative Assistant and she's here today also.

Maybe we can here from Yvonne and maybe one of your other guests about the important work -- I do want to note that the reason why we're doing this today, I believe you're down the street here today at the William-Penn Hotel with your annual event and dinner. Maybe you can give us an update.

All these Proclamations are for these young people.

Ms. Gilmore:

Good morning.

On behalf of NFTE, I'd like to thank all of you for extending this tremendous honor upon us. I'm sorry that our students could not be here this morning, but as you probably know they're taking final exams today and they didn't think they could get away from class for this important event. So, they weren't able to join us this morning, but they will be with us this evening for their biz show expo and the graduation gala. The biz

show expo is where the students really get a chance to showcase what they've learned about the free market economy business, what they learned about NFTE and selling and negotiation because they'll have their businesses set up on display for you to come and take a look and, maybe, make a purchase from them. Immediate following the biz show is the awards gala, graduation banquet. That's where we will recognize the achievements of some of the more outstanding students.

One of the students I hope will be there this evening is a graduate from our program this past fall who is 11 years old. She has actually registered and started her business in the City of Pittsburgh. It's a professional cleaning service for residential and commercial properties. She actually has an exclusive cleaning contract with a North Side business. So, we're very, very proud of her. Her name is Candice Costen. We have many other stars just like Candice. I do hope that you have a chance to come out and see what they're doing, patronize them, support them, and help them continue to empower themselves and stimulate the economy throughout Pittsburgh.

Thank you again for this opportunity.

Mr. Hertzberg:

When and where?

Ms. Gilmore:

Oh, I'm so sorry. The biz show and gala tonight is at 5:30 at the Western William Penn in the lower lobby level ballroom. The biz show expo is the first hour and the graduation gala and awards

ceremony follows that at the same location.

Thank you.

Mr. Rosenstern:

First of all, I want to thank Jim for having this opportunity for us. As well as Yvonne and her hard work and efforts which we've noticed over the last 6 months that I've been working with this organization.

A couple of things I want to point out that really make a lot of sense. Pittsburgh is looking to attract business in the City. One of the opportunities this organization does is teach, not only how to use business but life skills for these kids. They're learning how to develop a business, run a business, what it is to be profitable, what it is to basically learn how to consume, buy things and then turn around and sale them at a profit. This will help each child not just in their business life, but in their consuming life, how to buy things whether it be property, clothing, basically know how to find things and budget in their particular personal affairs.

In addition to that, you have to see the self-esteem these kids exhilarate when you see them at these trade shows. They basically take a pride in their work, in their service. They start from a grassroots beginning of just coming from backgrounds, Yvonne, that aren't necessarily so good all the time. They learn skills that will teach them daily how to work in the community and be part of this community. Hopefully we can keep some of these kids here to develop business for Pittsburgh.

So, hopefully with your support, we'll continue to make this organization work. From my sector and the business community, we'll continue to go out and raise funds to help this organization.

Thank you very much.

Mr. Marioudi:

My name is Steve Marioudi. I'm the founder of NFTE. I found it in 1987. NFTE is now located in 16 cities around the country. We were recently adopted by the Scottish government as part of their anti-poverty program.

I do want to say that long term success in a City, just having done this for 11 years now, it's imperative that we try to get as much business support as we possibly can. So, if any of you know local business people that would like to get involved as mentors or business plan judges or guest speakers or even help financially because we are 100 percent privately funded, it would be great if you could introduce them to us particularly if they're in one of your own areas.

Thank you very much. It's a real honor to be here today.

The Chair:

Thank you and good luck at your conference today. Say hello to all the entrepreneurs.

That concludes our Read and Adopted. Moving to Presentation of Papers.

MR. HERTZBERG PRESENTED:

No. 2024 Resolution providing for a the City of Pittsburgh to participate in or purchase all contracts for goods, materials, services or equipment entered into by the School District of the City of Pittsburgh pursuant to the Pennsylvania intergovernmental cooperation law, Act 180 of 1972.

Which was read and referred to the Committee on Lands, Buildings, and Procurement.

MR. O'CONNOR PRESENTED:

No. 2025 Resolution providing for an agreement of cooperation with the University of Pittsburgh in connection with the reconstruction of Bigelow Boulevard from Fifth Avenue to Forbes Avenue.

No. 2026 Resolution providing for an agreement or use of existing agreements and/or contracts for the reconstruction of Bigelow Boulevard from Fifth Avenue to Forbes Avenue, at a cost not to exceed \$425,000.00.

No. 2027 Resolution further amending Resolution 1018 effective January 1, 1997 as amended, entitled, Adopted and improving the 1997 capital budget and the 1997 CDBG Program and approving the 1997 through 2002 Capital Improvement Program by creating a new line item, reconstruction of Bigelow Boulevard from Fifth Avenue to Forbes Avenues.

No. 2028 Resolution providing for an agreement or use of existing agreements and/or contracts in connection with the rehabilitation of existing play

areas, at a cost not to exceed \$1,500,000.00.

Which was read and referred to the Committee on Engineering and Construction.

MR. ONORATO PRESENTED:

No. 2029 Resolution renewing Resolution 1056 approved by Council on December 23, 1996, entitled, Authorizing Riverview Terrace Housing Partnership to convert a four story structure located at 2829 Bedford Avenue into 36 dwelling units for the elderly and one unit for residential manager, 5th Ward.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

MR. RICCIARDI PRESENTED:

No. 2030 Resolution providing for a contract or use of existing contracts for concrete sidewalk repair and/or replacement in the CDBG areas of the City of Pittsburgh, at cost not to exceed \$40,000.00.

No. 2031 Resolution amending Section I of Resolution 894 approved November 15, 1996, entitled, granting unto Bruce Chenta (phonetic) an encroachment to construct, maintain and use at their own cost and expense at sidewalk cafe on a portion of right-of-way in sidewalk area on the South 19th Street in the 17th Ward.

No. 2032 Resolution granting unto Allegheny County Sanitary Authority an encroachment to construct, use and maintain at their own cost and expense various utilities, sewer lines and catch

basins on Tracy Street and Treble Avenue in the 27th Ward.

No. 2033 Resolution granting unto John Wargo an encroachment to construct, maintain and use at his own cost and expense at sidewalk cafe a 1807 Penn Avenue in the 2nd Ward.

No. 2034 Resolution granting unto Aluminum Company of America an encroachment to construct, maintain and use at his own cost and expense a recess light fixture, security card reader, bollert and a concrete island on Isabelle Street in the 22nd Ward.

No. 2035 Resolution vacating a portion of Hertog Street between Fleming Avenue and an unnamed way in the 27th Ward.

Which was read and referred to the Committee on Public Works, Water and Environmental Services.

MR. UDIN PRESENTED:

No. 2036 Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay to the City of Pittsburgh JEPA programs share a state wide on-line computer system cost for the period July 1, 1996 through June 30, 1997, total cost of the warrants will not exceed \$15,196.00.

No. 2037 Resolution authorizing an agreement with the Data Collection Agency and processing service to enable recipients to pay various parking citations via telephone by using their visa, master card or discover card 24 hours a day. This program is to be instituted at Traffic Court for traffic violation, at a cost not to exceed \$300,000.00.

No. 2038 Resolution amending Resolution No. 598 of 1996 entitled, providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Labor and/or the Commonwealth of Pennsylvania for a grant in connection with the Job Training Partnership Act by increasing the amount available for such contract agreements by \$2,446,483.00.

No. 2039 Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for the grant in connection with Job Training Partnership Act providing for the execution of grant contracts and for the filing of requisitions or other data, providing for an appointment of the private industrial council and the authorization for the private industrial council and the City of Pittsburgh to enter into an agreement authorized by the Job Training Partnership Act and providing for a contract with various agencies, employers, or services and programs related to training and employment with the Job Training Partnership Act projects, at a total cost not to exceed \$1,906,142.00.

No. 2040 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant in connection with the Joint Jobs Initiative Program, single point of contact project, said project should not exceed \$2,752,982.00.

Also,

No. 2041 Resolution providing for the lease of certain property on the Fifth

Floor of the Allegheny Building at 429 Forbes Avenue for a term of 62 months, the lease of 62 months will house classroom and office space for the Pittsburgh Partnership Joint Job Initiatives Single Point of Contact Programs upon certain terms and conditions, cost shall not exceed \$524,088.00.

Also,

No. 2042 Resolution amending and supplementing Resolution No. 1016 effective January 1, 1997 entitled, making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year beginning January 1, 1997 by making certain corrections.

Also,

No. 2035 Resolution amending and supplementing Resolution 1017 effective January 1, 1997, entitled, fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof and setting minimum levels for designated positions by making certain corrections.

Which was read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 2044 Resolution providing for a warrant in favor of Nexis-Lexis in the amount of \$1,468.00 in payment for computer user research services for City Council for the month of May.

No. 2045 Resolution appointing Richard Fees as a member of the

Pittsburgh Water and Sewer Authority for a term to expire December 31, 1997.

The Chair:

We need a motion to receive and file on the Mayoral appointment which does not need Council conformation.

MR. UDIN moved to receive and file Mayoral appointment.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

That concludes our Presentation of Papers. Moving to Unfinished Business or reports of any special Committees.

Hearing none, moving to Reports of Committees.

REPORTS OF COMMITTEE

MR. UDIN PRESENTS:

Bill No. 2046:

Reports of Committee for Finance and the Budget for January 4, 1997 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1941:

Resolution providing for the issuance of a warrant in the sum of \$50,000.00 to Andrew W. Forsyte, Jr., guardian in the estate of Michelle Trice, in

full and final settlement of an action filed alleging failure to protect Ms. Trice.

Which was read.

The Chair:

You have heard the reading and title of the Bill, is there any discussion. We had a couple of executive committee meetings regarding this issue.

If you're in favor of the Bill, vote aye when your name is called, if you're opposed, vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Ferlo
Ms. O'Connor	(Pres't)

NOES:

Mr. Udin

AYES Seven NOES One

The Bill having received the legally required number of votes has been approved finally.

MR. RICCIARDI PRESENTS:

Bill No. 2047:

Report of Committee on Public Works, Water and Environmental Services for

June 4, 1997 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1983:

Resolution providing for a contract or use of existing contracts for flexible beam guardrails in CD areas throughout the City of Pittsburgh, at a cost not to exceed \$10,000.00.

Which was read.

Also,

Bill No. 1940:

Resolution granting unto Lynch and Associates Architects an encroachment to construct, maintain and use at their own cost and expense a handicapped ramp with ornamental rails and two lamp posts on 2338 East Carson Street in the 16th Ward.

Which was read.

Also,

Bill No. 1984:

Resolution vacating a portion of Serbin Avenue, between Sherwood Avenue and Thorton Street a distance of approximately 186 feet, in the 20th Ward.

Which was read.

The Chair:

You have heard the reading and title of the Bills, is there any discussion?

Mr. Hertzberg:

Bill No. 1984, my comments brought forward, please.

(See Addendum for comments)

The Chair:

Thank you.

Any other comments?

Hearing none, the Bills are now ready for final action.

All in favor of the passage of the Bills will vote aye when your names are called, if you're opposed, vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES **Eight** **NOES** **None**

All of the Bills having received the legally required number of votes have been approved finally.

MS. MCDONALD PRESENTS:

Bill No. 2048:

Reports of Committee on Housing, Economic Development, and Promotion for June 4, 1997 transmitting sundry resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1954:

Resolution approving execution of a disposition contract by and between the URA and Malenta Cashadow for sale of block 25D in the 16th Ward.

Which was read.

Also,

Bill No. 1955:

Resolution approving execution of a disposition contract by and between the URA and John M. and Carol G. Laboe for the sale of Block 29M, Lot 239, 3808 Frazier Street in the 4th Ward.

Which was read.

Also,

Bill No. 1974:

Resolution authorizing the City of Pittsburgh to submit a \$50,000.00 grant application addressing the Nine Mile Run water shed to and execute relevant agreements with the Pennsylvania Department of Conservation and Natural Resources under the Keystone Rivers Conservation Grant Program.

Which was read.

Also,

Bill No. 1976:

Resolution approving execution of a disposition contract by and between the URA and Carl Soot for the sale of parcels 244F and 244C-2 in the 21st Ward.

Which was read.

Also,

No. 1977 Resolution approving execution of a disposition contract by and between the URA and Theresa M. Lee for the sale of parcel 265 in the 21st Ward of the City of Pittsburgh.

Which was read.

Also,

Bill No. 1978:

Resolution approving execution of a disposition contract by and between the URA and Neighborhood Centers Association for the sale of Parcel 104, Block 22P, Lot 10, in the 21st Ward.

Which was read.

Also,

Bill No. 1979:

Resolution approving execution of a disposition contract by and between the URA and Christopher Simms for the sale of Parcel 139B, in the 21st Ward.

Which was read.

Also,

Bill No. 1981:

Resolution approving the execution of a disposition contract by and between the URA and Keith Calthorn for the sale of Parcel 139C, in the 21st Ward.

Which was read.

Also,

Bill No. 1980:

Resolution approving the execution of a disposition contract by and between the URA and Joseph K. Williams, III and Darryl B. Williams for the sale of Parcels 139A, 140 and 141, in the 21st Ward.

Which was read.

The Chair:

You have heard the reading and title of the Bills, is there any discussion?

Hearing none, the Bills are ready for final action.

All in favor of the passage of the Bills, will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Hertzberg
Ms. McDonald
Mr. O'Connor
Mr. Onorato

Mr. Ricciardi
Mr. Udin
Mr. Ferlo
(Pres't)

AYES **Seven** **NOES** **None**

All of the bills having received the legally required number of votes have been approved finally.

MR. HERTZBERG PRESENTS:

Bill No. 2049:

Reports of Committee for Lands, Buildings and Procurement for June 4, 1997 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1972:

Resolution amending Resolution 242, effective April 24, 1996, entitled, authorizing a cooperation agreement and providing for the transfer of the amount of \$3,000,000.00 to the City of Pittsburgh Equipment Leasing Authorizing for the purchase of vehicles, radios and equipment for the use of the City of Pittsburgh departments and authorities by increasing the total project allocation by \$186,000.00.

Which was read.

The Chair:

You have heard the reading and title of the Bill, is there any discussion?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill, will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Ferlo
Mr. Onorato	(Pres't)

AYES **Seven** **NOES** **None**

The bill having received the legally required number of votes has been approved finally.

MR. O'CONNOR PRESENTS:

Bill No. 2050:

Reports of Committee for Engineering and Construction for June 4, 1997 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1982:

Resolution providing for agreement or use of existing agreements for the reconstruction of Frick Playground at Forbes Avenue and Braddock Avenue, at a cost not to exceed \$325,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Ferlo
Mr. Onorato	(Pres't)

AYES Seven NOES None

The bill having received the legally required number of votes has been approved finally.

The Chair:

That concludes our Reports of Committee, under Motions and Resolutions.

I want to remind our colleagues, we have a series of public hearings this afternoon. We have a public hearing on the re-write of the Historic Designation Ordinance, the Preservation Ordinance, for the City of Pittsburgh. Several colleagues, Mr. Hertzberg, Mr. Onorato and myself initially co-sponsored. I believed there was a Historical Review Commission hearing, I think yesterday or the day before. There were to be some recommendations, I think, coming from Commission. That public hearing is this afternoon at 2:00. There's a companion

bill somewhat and that is a resolution being offered by Councilman Hertzberg in relation to some of the interest repayment for funds from the Lazarus UDAG, Urban Development Action Grant. The suggestion being that we use some of the repayment interest funds as new revenue to do a targeted historic tax creditor incentive program to help commercial buildings with the facade improvement. Those public hearings are this afternoon at 2:00 p.m.

We also have a public hearing on Tuesday, June 24th regarding this Regional Renaissance Sales Tax Informed Proposal. We've asked that the delegation from the taskforce be here to explain whatever this referendum is supposedly going to be or will be or could be. That's Tuesday, June 24th at 2:00 p.m. On Wednesday, June 25th at 2:00, there's a public hearing regarding a rezoning of the proposed property near Carlow College in the 4th Ward. As well, there's a companion bill for the conditional use. That public hearing will be Wednesday, June 25th. That's the reuse of the old St. Peter's site at Forbes and Craft for reconstruction of a major building as part of the extension of Carlow College. That's Wednesday, June 25th at 2:00 p.m. Wednesday, July 2nd at 2:00 p.m., and also Wednesday, July 2nd at 2:30 p.m., there are two unrelated ordinances. They're both rezoning of properties. Again, Wednesday July 2nd at 2:00 an ordinance regarding changing property from R2 to RP, Sylvania Avenue, 18th Ward in Beltzhoover. I think it's for a mid-rise senior home apartments, on Wednesday, July 2nd at 2:30. Following that we'll have a public hearing on a zone change for an area, Saw Mill Run Boulevard, between Maytide Street and St.

Norbert Street for another development. They're rezoning from R2 to C3 commercial.

So, again, there are a series of public hearings upcoming that are very important especially if you own property in these effected areas as well as the Regional Renaissance Proposal and related matters. If anybody from the public would like to speak at any of these public hearings, please notify the City Clerk at 255-2138. We'll be happy to list you as a registered speaker. All public hearings are held here in City Council Chambers, 5th Floor. We'd be happy to list you as a scheduled speaker.

Now, under Motions and Resolutions, I'll turn to Councilman O'Connor at this time.

MOTIONS AND RESOLUTIONS

Mr. O'Connor:

I have a resolution I'd like to read to Council and open it for discussion.

MR. O'CONNOR PRESENTED:

No. 2051 WHEREAS, the Pennsylvania State Legislature is considering a Southwestern Pennsylvania Regional Renaissance Initiative Act which it passed, will place a referendum question before the voters in November, 1997 election. The referendum will allow the people of 10 Southwestern counties of Pennsylvania to decide whether or not to impose a 1/2 percent sales tax in order to finance regional economic development projects and regional attractions; and

WHEREAS, this matter is of great importance to the people of City of Pittsburgh. This Council has the duty to fully inform City residents of the details and impact of the proposed Southwestern Pennsylvania Regional Renaissance Initiative Act.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports placing a referendum question on the November ballot which will allow the people of Southwestern Pennsylvania to ultimately decide the approval or disapproval of the Southwestern Pennsylvania Regional Renaissance Initiative Act. The Council of the City of Pittsburgh conveys to the Pennsylvania State Legislature the sense of Council in order to secure affirmative vote on the Act.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh finds that should the proposed referendum question be placed on the November ballot, Council shall hold not less than four public hearings at various locations throughout the City regarding provisions of the Act beginning in September and concluding by October 31st. The purpose of the public hearings is to give City residents the opportunity to be fully informed as the terms of the Act and fully understand the implications of their vote on the referendum question.

Mr. O'Connor:

I want to make it perfectly clear that this is not a for or against the tax itself. This is to send a message to Harrisburg that we request it be on the ballot. But, even more important than being on the ballot, I think is the debate

itself. To continue the debate and educate us and the public. As you stated Mr. President, in two weeks you will hold a public hearing for our own information because this has changed so much in the last two months on a day to day basis. People have to be educated and know what they're voting for.

I requested four public hearings to be conducted by the President of Council similar to the review board or the curfew bill that Council held all over the City. I see these four televised hearings in north, east, south and west of the city. Also, I heard from the Renaissance that they would continue this all through the region, not just for the people of Pittsburgh, but for the region to make an educated vote.

I'm very curious as I've watched this thing how it will unfold, how business will come up, business leaders and political leaders will come up with a plan that will balance all the things that they're requesting and what is in the best interest of the taxpayers who will play a major key role in this. Also, I looked at it just recently and I'm comparing it a little bit to the riverboat gaming issue that was before us over the last few years that's still in limbo. Because of that not going on the ballot, because of the politics in Harrisburg, there are speculators and there are developers just sitting there waiting to see what happens. I think it's hurt the City of Pittsburgh.

I feel it's important to go on the ballot, to make a decision up or down. Is this the way we want to go, if yes, then vote yes. If no, then let's move on after November. This region has been stagnant. I think we owe it to the public to show the support to, at least, put it out there for

debate, so that we move on in this region. If this is the right thing to do, so be it. If not, then let's move on. I just don't want to be sitting here next year and the year after still debating whether this has the merits or not. So, I think it's very important. We get off the dime, forget about politics, let Harrisburg do their job and, then, the Southwest region, us, take a hard look at this and move on. There's a lot at stake here and I think people have to be informed.

The Chair:

We'd presume with the discussion. It's been moved and seconded for purposes for discussion.

Mr. Ricciardi:

Thank you, Mr. President.

My vote today on this proposal put forward by our colleague will be very loud and clear and strong and that's no. I will be voting no on today's proposal.

I, in no way, want to be associated with this dumb idea of increasing our sales tax here in this region to pay for certain facilities, especially sporting facilities. First of all, I think there's been a lot of misinformation put forward and I'd like to clarify two points before I have some brief remarks.

It's not really a 1/2 of a percent increase. Most of the times, especially on smaller purchases of commodities, it's going to be one percent. Early this morning I called one of my favorite stores in the South Side and I asked him about a bar of soap, 99 cents, what do they charge now, \$1.07; what's the scale show by the

increase of a 0.5, it's going to be \$1.08. So, when you buy larger commodities, 1/2 percent might equal that; but on smaller purchases, there's no such thing as a half of a cent. The states not going to decrease it or take the lowest figure, they're going to up it which means a lot of times we're talking about an increase of one percent.

Also, regarding misinformation and non-information and putting the Convention Center in with the entire proposal. Let's keep in mind that the Convention Center is a state facility. Our state delegation in the past including many, many governors and many administrations have supported the Philadelphia Convention Center both in construction, renovation and expansion. They have the same obligation and responsibility to support the Pittsburgh Convention Center. Right now, they're sitting on \$500 million dollar surplus. So, the issue isn't there not enough money to expand the Convention Center. The issue is that they're just trying to raise taxes to save that surplus and let's put that aside.

I just am very upset about the slick campaign going on now to increase our sales tax. I believe it's an insult to the surrounding counties the way they're even marketing this. Why should the surrounding counties, our friends, increase they're sales tax to only save 75 percent and kick the other 25 percent back to our sporting facilities. The major issue here is the stadiums. You could talk about other developments, but when it comes down to the cost of a football stadium, a baseball stadium and, possibly, a hockey stadium, it's going to eat up the dollars and that's where the money's going. I can't see why the surrounding counties would vote for

this. Unless some strategist sat behind closed doors and looked at the voting public, I'm not sure how many votes come out of Indiana and Beaver and Butler and Westmoreland and Washington County. But, it would be a forest, if not a shame, if those smaller counties could not produce the vote, but ended up living with the half percent, really one percent. I would not be comfortable with that. That's not the way to move the region forward, by dividing us. I think that's divisive.

But, the other issue is look at some of the people who are really up in Harrisburg today, this morning, our sport owners. I think that sends a message that again it's really a stadium issue, it's not all these development projects they talk about. The other issue is if I could see their commitment, I read the Pittsburgh Post Gazette and one of our colleague had discussions with some of these owners, they have a commitment. Where's the Memorandums of Understanding? Should we jack up our taxes without knowing what their solid commitment is, financially Mr. President, that's the question I have? Is there other ways to do this? Probably so. But, this is not the way. I think it's a dumb idea and I don't want to be associated with it. I know what Mr. O'Connor's non-binding resolution says, but I don't even want to be close to it because I'm embarrassed of it.

Thank you.

The Chair:

I have start the discussion of properly.

Mr. Cusick:

Thank you, Mr. President.

In fact, I'm sitting here right now reading from the Regional Asset District, a newsletter on what's the difference between Allegheny County's one percent sales tax in the Regional Asset District and the proposed Regional Renaissance Partnership. It seems like it's going to be a heated debate. The only reason that I would vote along with Mr. O'Connor is because I think there needs to be a lot of discussion, a lot of public discussion on exactly what's going on. People need to realize what the difference is between the RAD and the proposed Regional Renaissance Partnership. I think there's a lot of information out there. I think people right now publicly, the public in general, is not aware of what RAD is supposed to do for them. It's supposed to reduce and relieve some of the burden that the taxpayers currently have on them, that's my understanding of it. It was set up for local government to help pay for some of the things that we generally or regionally are placed the burden on.

I'm going to support the idea of Mr. O'Connor's question here, his motion to ask that we go out and support that it be placed on the referendum. I'll tell you why.

First of all, I think there should be more public meetings. I think it's going to happen anyways and we need to get ready now so that the public is aware of what's going on exactly. Whether they be for or against we need to do our job. I think that's one thing that, up until this point, the legislature hasn't done. I think it's totally clouded this issue. Exactly what the tax will pay for in general, the hearing process why give voters an opportunity to

shape and prioritize the projects. It will also suggest and encourage other municipalities, counties to get involved and do the same to ensure that there is something for their constituents, \$700 million will go a long way into pumping life into a region. If the money that's put on capital budgets and the entire region can benefit from it, it can provide many union good paying construction jobs, and make our region more attractive to the private investor provided that the funds are used for growing the economy and not used for growing government bureaucracy. Public participation in the process early on creates accountabilities so the taxpayer can choose and get the pay and determine what is paid for.

I think, Mr. O'Connor, your idea is a good one. I think that we, here in Council, had 7 to 8 public hearings during curfew. Mr. Ferlo, you and Mr. Udin and Councilwoman McDonald held a number of public hearings in regards to the civilian review board. Now, again, we're faced with an issue that is going to affect all of the City, all of the region. I think that it is our duty to make sure that we understand what people want, what they want from us when we talk about raising taxes, new taxes. How do they want the region to move? Do they want it to move slowly, do they want it to move fast, do they want it to prosper, do we like what we have right now? I think we need to hear exactly what people want out there. I don't think it's about putting one county or one municipality against the other, I think it's about finding out what the citizens of the City of Pittsburgh want.

Mr. Hertzberg:

Thank you, Mr. President.

If the state legislature, in fact, does say that this will be on the ballot and if today were the day and I were to go in there and vote, I'd be voting no as a voter. I don't like this particular proposal. I think the 7 percent sales tax in Allegheny County is already too high. I think the extra one percent was imposed for the same reasons. It's a question of when does it end, where does it end and how does it end. We came up with an extra one percent for stadiums and other regional assets and now we need to come up with another half percent, supposedly to keep our ball teams in Pittsburgh. Where does it end and at what level of these funds, if we do have another half of a percent, what quantities of these taxpayer dollars will go into these facilities and what quantities of the private dollars will go into it. I'm not saying there shouldn't be any public subsidy, but if it's going to be 95 percent public, I'm not thrilled with that.

There certainly are a lot of other possible sources of public dollars then a sales tax which as I've said we've already hiked up to 7 percent Allegheny County. I think there was talk of the short term car rentals and a possible tax on that, a possible increase or a part of the hotel/motel tax and these are all tourism types of revenues and would not be as ownerist on the local resident.

This plan, the Penn County Tax Plan, was devised by some esteemed individuals and some major stakeholders in this region. If that's what they think is the best plan to do this, I'm not going to sit here and say don't let the voters vote on it. I want the voters to vote on it. I'm looking forward to getting more information myself. From what I know of it, my vote today would be no. But, I'd like to hear

more, there may be more to it. I may not have all the information. We're certainly getting near the rug cutting time with the Pirates deal, part of that was to provide a new stadium. At a certain point and time shortly if the stadium financing isn't in place, they can begin to leave town. I think if that's the way it is, the public should have the ability to vote yes or no on our sports team and this will give them the ability to do that.

I also like the public hearing component. I look forward to that for two reasons. Number one, to get more information as we'll be getting here in Council Chambers shortly. But, also as time goes on, to get information from both sides and to have the debate so we can hear all sides. So, I'm going to support this resolution today although I wouldn't be voting in favor if I were in the booth voting.

Any other discussion?

Ms. McDonald:

I ditto the remarks.

I would have a resounding no vote myself if I was in the voting booth. But, I will support referendum. I typically like for the voters to speak loudly and clearly what they want. The only way they're going to do that is not the necessarily representation, but by voting themselves. If they took a vote today, it would send a clear signal that the public is tired of being taxed, we're tired of putting money into millionaires pockets, they're just tired of the disparity, certainly I know I'm tired of the disparity. But, I will support a referendum as Councilman O'Connor is sending a statement to the Legislature so

that the people can send a statement, what do they want. Do they want this or don't they want this.

In the meantime, I would like time for the public to get more business -- you have big boys at the table wheeling and dealing with the general public's little bit of change they have in their pockets, their little salary, they're tax dollars. It really is change compared to what they have in their pockets. These are the people that are lobbying us, they're millionaires and we're just regular working people. So, I think it's time for the public to get more business knowledge just like them and that there would be groups that would help the public to be more educated and more business savvy. You want our tax dollars, dog gone it, you're going to have to put something back in our pockets and that doesn't mean 25 percent going into millionaires' pockets, it means jobs for the underemployed, it means real economic development, something that we can see, touch and feel and not have to pay an admission ticket to benefit from. That is what the public needs to do is put pressure to bear on the big boys at the table. Which I might add I don't see my gender at the table nor do I see anybody with my complexion at the table which irritates me. So, as far as you coming into my community, oh no, you definitely have to make some wheeling and dealing for people of my gender, people of my complexion, people at my level of economic growth and development and my salary. You come in and talk to us directly, tell me what you're going to do for us with 0.5 percent. Otherwise, I guarantee you, it will fall absolutely flat on its face. Today if you took a vote, I'd be glad to see it fall flat on its face. I think it's arrogant for them to come forward to

the general public to ask for more money for stadiums for millionaires. It's on our shoulders, once again the public has to bear the cost of making the rich richer, the disparity continues. In fact, the disparity greatens.

So, what I would like to see is the public become more savvy. I'd like to see them put forward some amendments, some type of structure that would benefit them directly. Otherwise, again, I don't think the public is stupid. You know, you sit there and come to us with, it's general economic development. That's fine, well and dandy, we know what the real deal is. The real deal is stadiums, stadiums. We're not stupid. To sweeten the deal and make it more palatable, you throw in the Convention Center and you throw in economic development. Bologna. I think the public now has to put pressure to bear. Don't talk to me about stadiums, you put economic development and convention centers at the top of the list, not stadiums at the top of the list. Maybe let the stadiums benefit from the overall package, not the convention center and economic development benefit from the stadium being at the floor.

So, again, I think we need to turn that around. If you want our tax dollars, you're going to have really restructure what you want us to do.

Mr. Onorato:

Thank you, Mr. President.

I've been a strong supporter of the growth of all these facilities. I think the region needs it. I want to see the convention center, I want to see the baseball stadium and I want to see the

cultural trust and some of the other assets that have been talked about expand to really move us into the next century.

However, I am not a great supporter of a sales tax to fund for it. I want to make it very clear today what I would like to see done and I would hope that Harrisburg also reviews these options. I think it would be very wise to look at what other states and cities have done because there's been a lot of a success stories and a lot of failures in other cities. So, we do have the benefit of coming into the game late and see in how other cities and regions have handled this. For example, I know that there's a debate going on in Harrisburg this week also talking about slot machines at the four race tracks that sit in the state. I think that would be a lot easier to sale, I actually would support that where we would put slot machines in the race tracks where there currently is gambling, it isn't something that we're creating, you could heavily tax the slot machine activity and use that money to go out on a bond issue to fund these activities. To me that's a no brainer. It's actually a volunteer type of public revenue raiser where the individuals that are going to the race tracks currently are going to be there and if they want to continue to gamble in a different format that's all we're talking about as opposed to betting on horses or dogs, you're going to bet on the slot machines.

In addition, I think that we need to look at the other cities that use the sports lotteries. I think that's a legitimate suggestion that's been out there, but it's not on the table. This whole debate over the sale of the liquor store, if we could get that debate behind us and not even talk about selling the state stores. One of the

interesting things about the state stores is we've been told it raises about \$40 million dollars annually to the state general fund. If this is making a profit of \$40 million dollars a year, you could do one of two things. You could take a portion of the profits that are coming in annually and use that as debt service on a bond issue and keep the state stores the way they are or you can put a tax on the alcohol like other cities and states have done and use that additional revenue to pay for these types of facilities. Once again, these are on products that people would have more of a voluntary choice to decide if they want to participate or not.

The resolution today is basically saying do you want to put it on the referendum and do you want to have public hearings. I have no problem with supporting that. I think it's going to be a very hard sale. I would hope that if this does get on the ballot, my understanding is that it has the votes in Harrisburg and it's going to pass this week and it will get on the ballot for November, that throughout the public hearings that we debate these other options that exists. I'm sure there are other options that I didn't mention. If this fails in November, which I suspect that it probably will from what I'm hearing unless there's some type of a major change in the public sentiment, these other options are in place to fill in. I think that we have to see end dollars and in writing what the private commitment is. We hear a lot about the private sector coming up with a percentage of the funding, but no one knows exactly what that means. That has to be presented over the next several months before the referendum question is voted up or down. More importantly, all the other pieces of the puzzle, meaning if we say public dollars are we talking just

local municipal officials and talked about what are the priorities for the economic development agenda. For me, at least, it's not a new baseball stadium which I think should be paid for by people that want to go to it or private investment as opposed to a uniform tax increase whether it be sales tax and the like.

I resent the fact that there's no leadership from the newly elected governor who's basically been a thief and a bandit. Here's a guy who says he not raising any taxes and the first thing he does is raise the sales tax on gasoline, slips in the fact that now we're going to be competing with triple trucks on the road, one truck with three cabs. The Pennsylvania Turnpike is not safe enough as it is without having to go around now triple trailers which makes no sense to me. He's sitting on a half a billion dollar surplus. What's wrong with just making an economic development Sunny Day Fund for capital economic development projects, not only here in our region, but across the state and have people compete and apply for those economic development funds? Where's the governor's leadership in having the region get a jump start without this notion of raising the sales tax to help a bunch of overpaid ball players.

I resent the issue to the extent that a very small group of people have defined and have decided what the actual question is and the propaganda that's coming out of the woodwork. Not only the renaissance group but the sophistication of the Post Gazette from the editorial board to the pages to the how they're phrasing and framing the headlines everyday in the Post Gazette, is this a trip and a half. It's so blatant, so obvious what is being done here today.

I'm just concerned that we are going to blow our political capital here. There needs to be voter input and input from municipal officials prior to deciding what the question is that will go on the ballot. I think the way it's being perceived right now is this is a stadium tax and I think it's going to be voted no and we're going to lose our opportunity to get the Convention Center, to improve the Cultural Trust area and to improve other economic development agenda items that these other counties have. Not every county is going to have a stadium. So, obviously, there is other counties that have other economic development whether it be industrial parks or rebuilding their water and sewer system, whatever the agenda is, fine. But, why aren't they being heard from as part of the formulation of getting popular political support for this question.

I think there's a tremendous alienation. I think this is similar to the compact 21 situation. I think a few people have decided that they are the elite and they will make all the decisions. At least one of them is the gentleman is responsible for the demise of the steel industry so how trustful can we be of that agenda is beyond me. So, I'm very disappointed in what the question is and for the four different variations of it. I'm all for people deciding. Why not let the people decide what the question shall be that's going to actually go on the ballot. If it's a stadium tax, it's going to be defeated and I think we're going to lose a lot of political capital that we need support for other important economic development items.

Mr. Ricciardi:

Thank you, Mr. President.

Mr. O'Connor, I just want to be very brief before you have your closing remarks. Mr. President I agree with all of your statements or, at least, the majority of it. I appreciate all of your remarks.

First of all, there is no threat that we're going to lose the expansion of the Convention Center because the state has an obligation to it and the money is there.

Let me just say about false promises and the reason I'm very, very concerned. Even if this would make it on the ballot and people in good faith would vote for it, I seen the track record in the past of increasing the sales tax. The track record in the past is very poor, false promises. One promise was that we were going to decrease by 50 percent the amusement tax from 10 to 5 percent and that was going to be a savings to the taxpayers. It's supposed to be tax reform. Additional sales tax and decrease the amusement tax. This Body, we did decrease the amusement tax, however, as I had an unfortunately a defeat when I tried to get people to decrease their tickets, the hockey team and the Steelers and the baseball and even the cultural district, they didn't decrease their ticket cost. So, what happened was, there was no tax reform. It was false promises. People paid an additional sales tax, but when they went to these events, their ticket was not decreased.

Also, I was concerned about the democracy. Let's look at the regional asset district just for a second. Recall when they were going to pay their executive director over \$125,000.00 and I raised the issue. It finally was decreased

back to \$100,000.00. That was a big concern of mine. What happens when all the firms in town and they wanted to do work and a large firm downtown Pittsburgh came forward and wanted to do it pro-bono. But, no, there was some sort of friendship or some sort of connection with one of the firms and, instead, they paid for it, the Regional Asset District paid for their legal work.

So, my concern is nothing even seen on a ballot. Because the taxpayer or the voter might have good faith and vote yes and, then, receive nothing but false promises. The false promise that we had from the Regional Asset District and more. Don't forget the RAD already gave \$10 million dollars to the stadium. Let's not forget, we helped them retire their debt, let's not forget all the improvements, the luxury boxes. It's just that, Mr. President, and I'd just like to take off a part of your speech, it's that it's being perceived as a stadium tax, it is a stadium tax, no and, if and but, period.

Thank you.

The Chair:

Before Mr. O'Connor, just one other point Councilman Onorato kind of highlighted on. Again, if we want to be democratic, then let's us have the power to decide a riverboat gambling. Give us the democratic right to decide on legalizing video poker machines. Right now we have defacto, legalized video poker machines in every restaurant, tavern, grocery store, bar, night club, VFW, moose, elks, you name it, they are out there. There are millions of dollars going unaudited and lots of money not being accounted for. More importantly, we, the City of Pittsburgh and

the county, we are not taking part in the revenue that's being generated right now. To me, it's like a no brainer. Why don't we take a piece of the action from the vending machines, the video poker machines that are already out there, make them legal and take all that dedicated revenue and let it float a bond issue for the economic development agenda. Why isn't that being discussed? If we're talking about democracy, let the voters decide on vending machines, video poker machines, riverboat gambling, which we've asked the right to have a vote. So, if the governor is so preoccupied with democratic participation from the electors, let us have these different questions on the ballot so people can decide.

Mr. O'Connor:

Well, believe me, I don't think I can disagree with anything you've said. I think we've all lobbied for the riverboat gaming issue, at least put it on the ballot, the lottery, the slots and all these things are starting. I think the interesting thing we'll be watching is the public private partnership, how it unfolds, is it going to be fair to the taxpayers. I think Mr. Ricciardi brought up a very good issue, the RAD money. I don't think anybody's pleased with how that's come down.

But, to summarize, I think by supporting this and passing it, as Mr. Udin said, the key thing is the debate continues. I think as all of us have said and mentioned one way or the other, there's a lack of leadership. This puts City Council in a leadership role by holding hearings and by getting public input. We may be the ones who can bring this all together, for or against. However this comes down, we still have a future here. The public

hearings and the opinions coming out will have to be addressed by not only us but by Harrisburg and the future of the City. We have the vested interest of the citizens of Pittsburgh and the regions and this gives us an opportunity to debate those issues.

The Chair:

Thank you Councilman.

Is there any other discussion? Roll call vote.

AYES:

Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Udin
Ms. McDonald	
Mr. O'Connor	

NOES:

Mr. Ricciardi	Mr. Ferlo
	(Pres't)

AYES Six NOES Two

The Resolution having received the legally required number of votes has been approved and represents a non-binding will of the Body.

The Chair:

We will communicate this to our elected delegation to the House and the Senate.

Any other matter to be brought before the Body?

Again, we have public hearing this afternoon at 2:00 p.m. on the historic designation preservation ordinance and

Mr. Hertzberg's Bill on UDAG interest repayment funds at 2:00 today.

With that, we'll excuse Councilman Cohen who's out of town on business this week. We thank all of you for your attentiveness.

At this time, this formal meeting stands adjourned.

ADDENDUM

Mr. Hertzberg's comments on Bill 1984 can be found in the Standing Committee Meeting minutes of June 4, 1999.

Thank you.

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIODeputy City Clerk

Pittsburgh, PA
Tuesday, June 17, 1997

PRESENT:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Ferlo
	(Pres't)

ABSENT:

Mr. Cusick

The Chair:

Good morning everyone. City Council's Legislative Session will now come to order. I will ask our Clerk to please call the roll.

I'd like to say a special hello to all our honored guests here this morning. At this time, would you please rise for the pledge of allegiance and would you please

remain standing for a moment of silent prayer so that we may have peace throughout the world.

We are very please to have a young student here this afternoon her name is Shaday Mallory. She's the daughter of Darlene Kane who is the Administrative Assistant to Councilman Udin. She's 12 years old and she a student at Reisenstein Middle School in East Liberty. She's going to lead us in the pledge of allegiance.

Shaday Mallory:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation, under God, indivisible with liberty and justice for all.

The Chair:

Thank you, Shaday. Our City Clerk would like to present you with a flag of our great nation and a flag of our City. I know it's your summer vacation and we appreciate you coming down here today.

At this time, I'd like to call on Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President.

Our honoree is outside. He should be back here in one moment. I think I'll

take a pass for a moment if you don't mind, Mr. President.

PRESENTATIONS

MS. MCDONALD PRESENTS:

No. 2052 WHEREAS, on July 1, 1997, the Urban Redevelopment Authority of Pittsburgh in commemoration, of it's 50th year will host a seminar and award dinner at the Double Tree Hotel highlighting past, present and future development projects in this City.

WHEREAS, the Urban Redevelopment of Pittsburgh was created in 1946 to fight blight through urban renewal, and now it carries out the major development projects, programs, and activities; and

WHEREAS, the Authority provides policy direction and management for development activities, and is responsible for the planning, financing, and management of major real estate development projects--those having a significant impact on land use and economic growth; and

WHEREAS, the URA encourages and directs private investment in business by providing the financing for the acquisition of land, building construction and rehabilitation, and working capital for business growth; and

WHEREAS, the Authority conducts site feasibility evaluations, establishes design guidelines for projects and programs, and reviews the design of development proposals submitted to the Agency. As an implementation medium,

the URA's role is to transform ideas into action by providing the tools necessary for the growth and development of Pittsburgh.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the Urban Redevelopment Authority as it celebrates 50 years of service to the communities of Pittsburgh. We also commend the URA for its numerous contributions to the development of the city.

MR. UDIN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Cohen:

Members of Council and members of the audience, I'm very excited to give this proclamation to Burton Morris. Burton Morris is a Pittsburgh artist and illustrator who really have captured the attention of art lovers nationally and internationally, major corporations across the country and across the world. He has also been extremely generous in giving to charitable organizations and donating his art to charitable causes. What's more he's 33 years old. So, I think that we are catching Burton Morris at the beginning of an upward trajectory and one that Pittsburgh can be very proud of. We often discuss here in Council how we need to keep our young people here and reverse the trend that we've seen over the last 20 years or so. Burton Morris is a perfect example of somebody who is talented, who has stayed in Pittsburgh and who has been a real success in Pittsburgh. I think he's as successful here as he would have

been in New York or Los Angeles or Atlanta or any other city. So, it's my true honor to read this Proclamation.

MR. COHEN PRESENTS:

No. 2053 WHEREAS, Burton Morris is an artist illustrator with an unique style which has captured the attention of art lovers throughout the country and brought a positive notice upon the City of Pittsburgh; and

WHEREAS, since his debut in 1990, Burton Morris' client list has grown to include corporate giants such as American Express, Coca-Cola, AT&T, McDonald's and many others; and

WHEREAS, Burton Morris premieres his latest artwork not in a gallery, but on a bottle. Peria sparkling mineral water which you all have a version of, is his latest release worldwide; and

WHEREAS, in 1993, Burton Morris was selected to represent Pennsylvania in his Absolute Vodka statehood campaign gaining his ad worldwide attention and praise; and

WHEREAS, Burton Morris is active in charitable causes donating artwork for auctions and events held by charities such as the Race for the Cure, Art for AIDS, Muscular Dystrophy and the I Have a Dream Foundation; and

WHEREAS, the producers of Mr. Rodgers Neighborhood commissioned Burton Morris to illustrate their 25th Anniversary design and on the set of NBC's hit television show, Friends, viewers can spot Morris' painting and his newly released line of men's neckties of

which I wear one. Mr. Morris has definitely spiffed up my wardrobe.

NOW, THEREFORE, BE IT RESOLVED, that the Council of City of Pittsburgh does hereby commend and congratulate Burton Morris on his success as an artist illustrator and extends their appreciation to him for helping to keep Pittsburgh on the forefront of the International Arts Community.

MR. ONORATO moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you.

Before I bring Burton Morris up here I also wanted to acknowledge that his family is here, his wife, Julie, his parents, Bunny and Marvin Morris. Bunny taught at Alderdice for 20 years and was head of the Health Program after that. His grandmother, Rose Morris is here as well.

Also, Burton has an exciting offer that he wants to make to us. Before he does that, I want to present him with this Proclamation on behalf of the Pittsburgh City Council.

Burton, congratulations.

Mr. Burton:

Thank you.

I did write something to acknowledge this. First of, I want to thank

Councilman Dan Cohen for nominating me for this prestigious award. To you, the Members of City Council, thank you for giving me this honor.

I'm truly grateful to be recognized by the City of Pittsburgh. I want to say that I'm very proud to be a Pittsburgher. I've live in Pittsburgh all of my life. I was born in Squirrel Hill, raised in Churchill and graduated from Carnegie Mellon University. I have lived in Shadyside for the last 12 years. My mother was raised in Squirrel, my father in Alliquippa, my wife who is also my partner and a designer was raised in Butler and my 92 year-old grandmother was raised in Lawrenceville.

Most people think that an artist has to live in New York or Los Angeles to be successful. I have always felt that I could be successful by living here in Pittsburgh and feel fortunate that I have been able to follow my dream of pursuing my career of art in the City that I love. I've worked with clients from all over the United States creating all types of illustrations and designs. This morning I would like to share with you a few samples of my work.

By the box here there's a number of samples that I've created. I should have brought that up. There's also some portfolio which I would like to pass out to the Councilmembers so that you can see what I do. To give you an idea, for Walt Disney Corporation out of Los Angeles, I designed a whole series of sweatshirts, tee shirts and a number of products for Disney Corporation. I'm known for a certain style of artwork. The artwork that you see on the Peria bottles in front of you is the type of artwork I'm known for. My client list extends from the top fortunate 500 to Sesame Street and Mr. Rodgers

Neighborhood. You might be familiar with some of the Pepsi can and Diet Pepsi cans I've done over the years. Recently my designs and if you can see this was done for the Race for the Cure here in Pittsburgh. Mr. Rodgers Neighborhood, for his 25th anniversary. Recently Pittsburgh is Mr. Rodgers' Neighborhood design showing the City of Pittsburgh along with Mr. Rodgers' characters.

The number of clients that I've for in Pittsburgh have gone everywhere to Heinz Corporation to Pittsburgh Plate Glass to Duquense Light, just a number of other -- this was giving to President Clinton from Fred Rodgers showing for his 25th anniversary with one of my designs. A goal of mine has always been to expose artwork to as many people as possible whether it's children or adults. I feel that my work translates that way. As you pass the books around I think you'll be able to see what kind of artwork that I do.

Members of City Council, I would like to propose an idea that I have had for the City. I would like to donate my time and talent to design a large scale mural representing the City of Pittsburgh. The exact size and location would be at the discretion of City Council. The funding to produce the mural would hopefully be provided by the City. I have seen impressive large scale murals in many other cities and I would like to do the same thing for Pittsburgh. Hopefully, with your guidance, we can follow-up with this idea.

Thank you for your time, your interest and this honor.

Mr. Cohen:

Burton Morris has murals at the Houston Astrodome and at Boston South Shore Plaza, I think it's called. So, it's only fitting that he should have one here in the City of Pittsburgh. I'll certainly be talking to you, Members of Council, and also the Art Commission, of course, to see how we can set this up.

Burton, thank you very much for that generous offer. I'd love to see it come to fruition. Congratulations.

The Chair:

Thank you and congratulations. Thank you very much for your kind offer.

Mr. Udin:

Thank you, Mr. President.

Would Mr. Henry and his family come forward please?

This morning we have the pleasure of recognizing a youthful entrepreneur in the City of Pittsburgh who operates a number of daycare centers many of which are located in downtown Pittsburgh. The daycare centers have received and enjoyed widespread acclaim for the quality of their work. They really have the trademark of this young adventurous businessman. He was recently recognized by the Small Business Association as the Entrepreneur of the year. So, again, another example of young people staying in Pittsburgh and applying their trade and helping to make Pittsburgh someplace that people want to stay or come back to.

He also has with him his wife, Mrs. Henry and his mom, Donna Henry who some of you may recognize. She has been

employed with the City of Pittsburgh and works for the Department of Engineering and Construction. She is usually the mouth piece for the Director when he comes up for budget deliberations.

MR. UDIN PRESENTS:

No. 2054 WHEREAS, on Friday, May 30, 1997, the Small Business Association held their annual awards luncheon at the Pittsburgh Hilton; and

WHEREAS, among those being honored Mr. David D. Henry received a prestigious award for the Young Entrepreneur of the year; and

WHEREAS, David D. Henry received his Bachelor's Degree in French and History from Washington and Jefferson University and just recently received his Masters of Science of Industrial Administration Degree from Carnegie Mellon University; and

WHEREAS, shortly after receiving his Bachelor's Degree, David learned that a satisfied position in his field of study was allusive and instead decided to open a small daycare business. With no funds or practical experience, he hired an experienced professional to serve as executive director and secured initial funding from his parents and the Urban Redevelopment Authority; and

WHEREAS, at the age of 22, David D. Henry opened the Allegheny Childcare Academy, Incorporated in downtown Pittsburgh. Within 5 years, David's entrepreneur vision and hard work cultivated a successful and profitable business; and

WHEREAS, in 1993, the Allegheny Childcare Academy had capacity for 37 children, today there are over 581 children at nine different locations, 7 of which are located in downtown Pittsburgh. According to the Pittsburgh Business Times, the Allegheny Childcare Academy is now the 9th largest childcare provider in Western Pennsylvania. The ACCA employees approximately 115 people from the region; and

WHEREAS, David's entrepreneur success is recognized across the state and the following awards give testimony to his hard work and diligence, the Best Business Venture, 2 to 5 years; Pennsylvania Young Entrepreneur's Forum sponsored by Governor Tom Ridge; the 1997 Carnegie Mellon Graduate School of Industrial Administration Entrepreneur of the year; and a finalist for the Earnston Young Emerging Business of the year award for 1997.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends Mr. David R. Henry for fostering a successful business and extends heartfelt congratulations on being chosen as the Young Entrepreneur of the year by the Small Business Administration.

MR. COHEN moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Udin:

Mr. David Henry.

Mr. Henry:

Hi. To my left, this is wife, Melissa who is equally involved in the business. This is my mother, Donna Henry who bore the brunt of the stress of this business.

All of these awards are very nice and we're very pleased. We've had a good month and a half. I think the people that deserve the awards are the 115 people that work everyday at our centers and really give their best. They're the ones who produce the quality of childcare that have made us popular and they're the ones that have propelled our growth into further communities represented by Council today and to the City of Philadelphia in approximately 8 weeks.

Thank you.

The Chair:

Councilman, I believe you have others that are to be read into the record.

MR. UDIN PRESENTS:

No. 2055 WHEREAS, on Thursday, June 26, 1997 Inroads/Pittsburgh-Erie, Inc. will celebrate its 20th anniversary and awards dinner at the Marriott City Center;

WHEREAS, INROADS is channeling high potential minority students (African-American, Latino, Native American) into the mainstream of American business. Locally, over forty companies are currently sponsoring career-related internships for 70 INROADS/Pittsburgh-Erie college

students. Nationally, over 5,000 INROADS college students are pursuing degrees in business, science or engineering at their universities;

WHEREAS, students who are selected for INROADS work successive summers in an area corporation, participate in professional training seminars and receive year-round advising and coaching. Selection preference goes to high school seniors and college freshman and sophomores who have a sound academic background;

WHEREAS, the summer internship focuses on hands-on work relating to the student's college major and also exposes the student to the culture of the business world. The training and development workshops provide academic skills and business management skills and develops corporate ready young men and women prepared to compete in and contribute to the business world and the community;

WHEREAS, nationally, some 6,000 INROADS college graduates are now pursuing professional careers. Over 300 Pittsburgh-Erie graduates are likewise pursuing these careers.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends INROADS/Pittsburgh-Erie, Inc. for its 20 years of outstanding accomplishments and invaluable support to the community.

Also,

No. 2056 WHEREAS, the purpose of the Summer Fund for Children's Program has been to provide

safe, enriching and enjoyable summer activities for children, ages 0-13, who live in public housing communities, to engage public housing residents in the creation, governance and implementation of these programs and to help CYS provide prevention services; and

WHEREAS, the Summer Fund for Children's Programs invites proposals for programs that create opportunities for children, to learn and value the culture from which they come, and to learn and appreciate different cultures; provide an opportunity for children to have fun and learn important life skills and behaviors; are accessible to children with disabilities and/or handicaps; and

WHEREAS, the 1997 Summer Fund for Children's Programs is expected to be jointly funded by The Pittsburgh Foundation, Allegheny County Children and Youth Services, Allegheny County Housing Authority, and Housing Authority of the City of Pittsburgh in partnership with the Allegheny County Board of Assistance; and

WHEREAS, two new features are being added this year. Projects funded for the summer will have the opportunity to submit proposals to operate a limited number of year-round demonstrations programs. Second, they're exploring ways that the expanded program can be supportive of welfare recipients affected by welfare reform as well as benefit the children in the program and the neighborhoods where they live.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh declares the week of June 22, 1997, Summer Fund Week.

Also,

No. 2057 WHEREAS, on Saturday, June 14, 1997 the Youth Fellowship of Metropolitan Baptist Church will honor their 1996-1997 school year graduates and high achievers at the Annual Graduates and Honors Banquet at the Metropolitan Baptist Church; and

WHEREAS, in 1983 under the leadership of Reverend Dr. Lacy Richardson the Youth Fellowship was developed in Metropolitan Baptist Church as an avenue to educate, stimulate and inspire youth through a strong positive upbringing by enriching the mind and body through the Spirit. The Youth Fellowship has grown to improve the Metropolitan Baptist Church and our communities; and

WHEREAS, through community service, scouting, volunteering, and missionary work, they have developed programs, drives, recycling endeavors, etc. to help local residents, less fortunate children, the homeless, burn children in West Penn Hospital, local youth homes, inmates at the county jail and many more. We strive to create success in academics, community projects and spiritual guidance; and

WHEREAS, this year's graduates and high achievers include: Michael-Paul Parrish, Adrian J. Allen, Chenits Reese Pettigrew, III, K. Elizabeth Warren, Karen D. Tucker-Brown, Nicole Honaker, Alicia Alen, Tramaine D. Ziegler, Jackinah D. LaVette, Adrienne Honaker, Shalynn Everett, LaShelle T. Ralph, Shavonda G. Young, Brittany L. Cheeks, Tracy N. Cullens, Jamie Cullens, Jayna J. Cullens,

Nicole Key, Vanna Gale, Amber K. Ingram, Shavonne Arnett, Donita Walton, Latasha Walton, Neisha Coleman, Edward Fearbry, Frederick Fearbry, Lorenze M.H. Jefferson, Gregory Young, Jared-Lee Brown, Malcom-Jamal Key, Nathaniel Arnett, Ryan Howard, Gaetan L. Pettigrew, LarDess Freeman, LaErra Freeman, Syreeta Martin and Autumn-Nicole Thomas.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh congratulates the graduates and high achievers for a job well done and we wish them even greater success in the future.

MR. ONORATO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much.

I'd like my honoree, Cheryl Barry, and her family and friends from the Polish Hill community, Father Joe and Ann Davis, to come forward please.

Members of Council and to the public, it's a great honor to recognize this young lady. She's a hard worker, a very dedicated individual and somebody that the Polish Hill Community in addition to her family and friends is very proud of. I'd like to read the following resolution.

MR. FERLO PRESENTS:

No. 2058 WHEREAS, Cheryl Barry has served with distinction as the

Principal of the Immaculate Heart of Mary's School in Polish Hill for the past 7 years; and

WHEREAS, the Immaculate Heart of Mary's School, under the wise and caring leadership of Cheryl Barry has been a jewel of the Polish Hill Community; and

WHEREAS, Cheryl Barry has been a dedicated member of the Polish Hill community, she is recognized, respected and loved for her hard work as a principal, as a teacher, as a role model to her students and to her friends; and

WHEREAS, Cheryl Barry who is a member of the Immaculate Heart of Mary Roman Catholic Church and is a recognized Eucharistic Minister for the Church, is considered the heart of the hill for many Polish Hill residents; and

WHEREAS, Cheryl Barry is known for her honesty and integrity not only in Polish Hill but throughout the City of Pittsburgh. Having returned, and you may remember this proclamation from a few years ago, having returned a mountain of coins that exploded out a parking meter in Bloomfield, returning them back to the City of Pittsburgh without second thoughts back in 1995. If it was Los Vegas she may have done something differently, but we paid tribute to her at the time for that; and

WHEREAS, Cheryl Barry's hard work, dedication and compassion and her message of love, faith and hope have brought joy into the lives of many families in Polish Hill.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends Cheryl Barry for her hard work, for her

commitment and for her dedication to the Polish Hill Community.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares today, Tuesday, June 17, 1997 to be Cheryl Barry day in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

That's all the good news. I think part of the bad news is that she's leaving and no longer will be the principal at the school. I don't know that she's even made her plans clear yet, at least not to me. Maybe she'll comment on that.

Before I bring her up, we have a gentleman here, Father Joe Zarzensky who's the new Pastor at the Immaculate Heart of Mary Church in Polish Hill. For a lot of people who don't even visit Polish Hill maybe that frequently, you can't miss this church. It's the big, beautiful center piece and keystone of the community that everybody passes on Bigelow Boulevard and sees this tremendous church. In fact, it's a church that I think later on this month will be celebrating its 100th anniversary in celebration. There will be a mass and a ceremony, rightfully so.

One thing about the Polish Hill community, I think it's like a lot of our other neighborhoods. There's a tremendous synergy of excitement in the neighborhood. Probably three things that

go and kind of create that synergy certainly is the ball work of the church in that community, the contributions of community leaders like Cheryl Barry, as well the fact that in this neighborhood there's a very dynamic school that the church runs itself. I think those three combined really create a foundation for a very exciting neighborhood to live in. That's why we're partly honoring Cheryl here today.

At this time, I'd like to ask Father Joe to say a few words followed by Ann Davis who's no stranger to these Chambers. She's very active in the community and she also volunteers a lot of time in the Pittsburgh Water and Sewer Authority Board.

I'd like Father Joe to say a few words and then Ann Davis before we bring Cheryl up here. Father Joe.

Father Joe:

It's a great honor and a pleasure to be here this morning to honor our Principal Ms. Cheryl Barry. I have known her for the past two and a half years now since I've been at the Immaculate Heart. I recognize her dedicated loyalty especially to the children of the community and in the school. Her untiring efforts will always be kept in mind that the welfare of the children always come first before anything else.

So, it's with pleasure that I recognize her today with this honor that she is receiving. She well deserves it for her work. As I say again, for untiring efforts on behalf of the children and their education. She's giving herself completely to the children, with problems,

whatever situation may be she was always there for them, after school, in the evenings, at home on Saturdays and Sundays she could be found. If there was any problem there, she was there with the children, their parents and the like.

So, it's with great pleasure again, Cheryl that I honor you today in this special way with a presentation by the school children and the teachers for your untiring effort on their behalf and for all of us in the community. God love you and God bless you.

Ms. Davis:

It's a pleasure to be here to honor her. I remember her when she was born and I saw her grow up into a beautiful person serving the community, serving the school, and serving the people in the community. I'm also very proud of her.

Being here today, seeing you honor other young people from different communities, I am proud that I can present a native from Polish Hill.

Congratulations, Cheryl Barry.

I have to compliment my Councilman because he makes my community beautiful and I want to thank him publicly for that.

The Chair:

Let's get a couple of students up here, Jessica and Olivia. Why don't you come up here together and maybe you'd like to express yourselves, too.

Olivia:

state level or are we talking the local and county and what is the city's function even dealing with the land assembling of these types of assets.

I would sure hope that the slot machines, the lottery, the state store profits, that are currently generated or an additional tax on it, the alcohol, they would all be debated and they would all be part of the discussion. I don't want to just pick one and bet everything just on the one option. I think all these options should be on the table. I'm going to be fighting to have all these options on the table and see what this region really wants to support and how much of public funding we want to support and in what form.

Mr. Udin:

Thank you, Mr. President.

Every week, colleagues, we put motions on the table to approve for the purpose of discussion or we second motions for the purpose of discussion. It's in that sense that I take Councilman O'Connor's resolution today to put the issue of the sales tax on the referendum for the purpose of generating a much needed debate in the future of the region. So, it is in that sense that I support the resolution of Councilman O'Connor. It's very tempting to rush right into the debate itself on the tax and the feasibility of the tax or the various alternatives and options that actually should be a part of the debate once it gets on the table and not, necessarily, part of the debate as to whether or not it should be on the referendum.

Although I have a lot of ideas and concerns about the various issues, I will

restrain from engaging in that debate until it is actually on the table. Right now, we're only talking about supporting it being on the referendum and I support that.

The Chair:

Thank you.

Any other discussion?

I'm going to have to respectfully vote no. But, maybe for a little bit different reason. I don't object, obviously, to having public hearings. God knows the City Council has more public hearings than any legislative body in the Commonwealth. In fact, we have one scheduled for June 24th. I have no objection to having 4 public hearings, 10 public hearings, 20 public hearings, or 80 public hearings, in every neighborhood in the City of Pittsburgh. My problem is more on a tactical level. That is, what is it that the legislature is actually going to be taking to the voters?

Now, I've spoken at length about my support for an expanded convention center. I'm willing to do that in any number of ways including the consideration of raising some revenue and/or tax. I strongly object to increase taxes to build a baseball only stadium and/or a new football facility only because I think other revenue sources and avenues should be explored rather than some uniformity of a new tax whether it be an increase in a sales tax or anything in the source.

What I resent on a tactical level is -
- the issue to me is not so much whether we vote for or against the proposal to have

a referendum or ask for the referendum. What I'm concerned about is what is the referendum question itself. What I'm fearful of and what I am concerned about is that this group of leaders that have come together and I respect the fact that they created some energy and synergy to want to move the region together and start thinking as a region. What I'm worried about is that we are going to blow our political capital and they are going to squander their political capital on a half baked referendum question. Maybe I'm wrong, but I believe that everything is conglomerated together and what we have here is really the McClatchy's and the Rooney's riding on the economic development train which everybody else is for. They're riding their tail on the economic development train. I think, unfortunately, I believe uniformly, not only in Allegheny County but across the multi-county region, if it's all put together in one conglomerated mess, I think it's going to be a resounding no vote when it gets on the ballots this fall.

What I'm concerned about is where is the public debate and input from the public as well as municipal officials and county commissioners in the formulation of what the referendum question should be itself. In other words, the debate really should be what should the referendum question say. It shouldn't be this kind of nebulous, democratic philosophy we'll let a few people decide what the question is, we'll put it on the ballot and, then, we're all focused in about well should we have public hearings and what's wrong with the people deciding. Well, we're all for the people deciding. The issue is who's framing the question that's being put on the ballot? I want to see a question that says do we want to move ahead as a region

and do we want to make Convention Center a priority or other kinds of economic development agenda that we have as a city, as a county and as a region. I fear that since this is going to be phrased the wrong way that everybody's going to bite the bullet because I think the majority is opposed and perceives this as a stadium tax and it's going to go down to defeat. I'm upset about that because I think it's a shame that we're going to lose the Convention Center expansion which to me is long overdue in the City of Pittsburgh.

I'm respectfully voting no. Not because I don't want public hearings, I'm all for public hearings. But, I think our focus should be what is the actual question that's going to be put on the ballot. I've heard four different versions as late as this morning with Representative Van Horne on KDKA this morning. I've heard yet another variation of what this question is going to look like that's supposedly is going to be voted on later today.

The way it looks right now and I think it's unfortunate is we have a window of opportunity and because a few people at a high level, be they business corporate leaders or political leaders got together and decided and phrased what the question is going to be, I think it's going to go down in defeat. I think they've started from the beginning packaging this wrong as a stadium tax and I think they so convinced voters already out of the gate that somehow a vote for this is a vote for an increase in sales tax at the expense of all the economic development projects that we want to do. I think it's a big mistake. I think it's wrong that the legislature hasn't gotten together with other county commissioners from the different region including Allegheny County as well as

I would just like to say that Ms. Barry deserves this award for all her kindness and all her respect she has for us. She's a good substitute. She takes care of us when we're sick or anything. She loves what she does and it's sad that everything is going to end now.

Thank you.

Jessica:

Now, I'll do anything to get on television. She was really a good principal and all of that stuff. She was a good substitute. Her office was decorated nice. She needed this award. She was bony whenever she gave me a hug. She was a good principal. I'm happy to be here.

The Chair:

Thank you very much.

At this time, Cheryl would you like to come up and say a few words.

Ms. Barry:

I'd just like to thank City Council for this award and Councilman Jim Ferlo especially and for Ann and Kathy and Father for all the work that they did to help me receive this award.

As Jim said, I will probably no longer be the principal of Immaculate Heart of Mary. As you heard on the news we probably will not be opened again next year. That word has not become official yet, so it's still up in the air. Hopefully, I will be teaching someplace else and will continue to work for the neighborhood.

Thank you.

The Chair:

Thank you.

Councilman Cohen and I have one to be read into the record.

**MR. FERLO AND MR. COHEN
PRESENT:**

No. 2059 WHEREAS, all forms of discrimination undermine the fundamental principle of civil rights on which this nation was founded: that all men and women are equal under the law; and

WHEREAS, during the month of June, "Pride" celebrations are held all across the world in recognition of the "Stonewall Riots," the birth of the modern gay liberation movement over 25 years ago; and

WHEREAS, over the past two decades, the rich ethnic, social and cultural heritage of our City has been further enriched by the emergence of the lesbian, gay, bisexual and transgendered community, which has become more visible and active in promoting the rights of sexual minorities; and

WHEREAS, "Defending Diversity" is the theme of the Pittsburgh PrideFest, a festival to celebrate the lesbian, gay, bisexual and transgendered community which will take place on Saturday, June 21, 1997 at Mellon Park in Point Breeze, following a parade through Shadyside; and

WHEREAS, numerous cultural, social and commercial activities in the City of Pittsburgh have been scheduled for

this week to benefit local organizations and people;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and congratulates the Three Rivers Pride Committee for organizing this important Celebration; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Saturday, June 21, 1997 as Lesbian, Gay, Bisexual and Transgendered Pride Day in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much.

Are there any other Read and Adopt Proclamations at this time? If not, moving to Presentation of Papers.

MR. COHEN PRESENTED:

No. 2060 An Ordinance amending the Pittsburgh Code, Title VIII and Title X by adopting new 1996 editions of fire, building, property maintenance and international mechanical code and the 1995 one and two family dwelling codes.

Which was read and referred to the Committee on Public Safety Services.

MR HERTZBERG PRESENTS:

No. 2061 Resolution amending Resolution No. 454 of 1995 entitled, Providing for the leasing for Metropolitan Pittsburgh a space located at 1350 Evers Drive in the 12th Ward for a C.O.P. mini station for a term of two years by changing the term of lease to commence February 1, 1997 and renewable annually at no cost to the City.

No. 2062 Resolution providing for a lease agreement with the City of Pittsburgh Housing Authority for a space at 1208 Moller Street as a Community Oriented Police Station effective July 1, 1997 and renewable annual at no cost to the City.

MS. MCDONALD moved to waive Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

Which motion prevailed.

MS. MCDONALD PRESENTED:

No. 2063 Resolution further amending Resolution No. 1018 effective January 1, 1997, entitled, Adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program and approving the 1997 through 2002 Capital Improvement Program by increasing and decreasing various line items.

Which was read and referred to the Committee on Housing, Economic, Development and Promotion.

MR. O'CONNOR PRESENTED:

No. 2064 Resolution amending Resolution No. 115 effective March 25, 1997 entitled, Providing for an agreement or use of existing agreements and/or contracts for the purchase of materials and equipment for renovation and maintenance at various public buildings by increasing the total project allocation by \$125,000.00.

No. 2065 Resolution further amending Resolution No. 289, effective April 10, 1991 as amended, entitled, Providing for an agreement with a consultant for design services in connection with the widening of Pennilope Street by increasing the total project allocation by \$20,000.00.

No. 2066 Resolution providing for a contract for the payment at a cost not to exceed \$309,000.00 to perform required bridge maintenance at various locations.

No. 2067 Resolution further amending Resolution No. 1018 effective January 1, 1997 as amended, entitled, Adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program and approving the 1997 through 2002 Capital Improvement Program by increasing line item entitled, Bridge Maintenance Program by \$50,000.00.

No. 2068 Resolution further amending Resolution No. 1018 effective January 1, 1997 as amended entitled, Adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program and approving the 1997 through 2002 Capital Improvement Program by increasing a line

item entitled, Building Maintenance Program by \$125,000.00.

Which was read and referred to the Committee on Engineering and Construction.

MR. ONORATO PRESENTED:

No. 2069 An Ordinance amending Ordinance 42 of 1995 entitled, An Ordinance supplementing the Pittsburgh Code, Title IX, Zoning, by creating an interim planning overlay district so as to extend the time limit of the Oakland Interim Planning Overlay District by an additional 6 months as per section 972.03 of the Pittsburgh Code to the 31st day of December of 1997.

Which was read and referred to the committee on Planning, Zoning and Land Use.

MR. UDIN PRESENTED:

No. 2070 Resolution providing for the issuance of a warrant in favor of the Pittsburgh Legal Journal in the amount of \$20,875.00 for payment of legal advertising cost of properties included in the October 21st and March 14th City Treasurer Sale to satisfy unpaid city and school district of Pittsburgh Real Estate taxes and/or City of Pittsburgh sewage charges.

No. 2071 Resolution providing for the issuance of a warrant in the sum of \$10,000.00 to Denise L. Jones in full and final settlement of actions filed for alleged property damage resulting from water main breaks on two separate occasions.

No. 2072 Resolution providing for the issuance of a \$1,000.00 warrant in favor of ALCOSAN in settlement of claim for an accident in which the claimant's vehicle was struck by a city vehicle on February 26, 1997.

No. 2073 Resolution providing for the issuance of a \$1,664.00 warrant in favor of Kathy Gallus in settlement of claim in which claimant's vehicle was hit by a Water and Sewer Authority van on April 1, 1997.

No. 2074 Resolution providing for the issuance of a \$1,983.00 warrant in favor of Jacqueline Rosenthaw in settlement of claim for an incident in which construction being done damaged the claimant's building.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

The Chair has no papers to present at this time.

Moving to Unfinished Business or Reports of Special Committee, is there any matter to be brought before the Body.

If not, moving to Reports of Committees.

REPORTS OF COMMITTEE

MR. UDIN PRESENTED:

Bill No. 2075:

Reports of Committee on Finance and the Budget for June 11, 1997 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1742:

Ordinance supplementing the Pittsburgh Code, Title 2, Fiscal, Article I, Administration, Section 201, City Treasurer, by adding Section 201.11, Tax Incremental Financing Registration.

Which was read.

Also,

Bill No. 1985:

Resolution providing for the issuance of a warrant in the sum of \$80,000.00 to Patrick Dougherty in full and final settlement of an action filed and arising from the search of the resident and subsequent arrest on or before November 24, 1995.

Which was read.

Also,

Bill No. 1987:

Resolution providing that the City of Pittsburgh enter into a professional service contract for the purpose of providing legal counsel for defense of workers compensation and heart and lung claims, at a cost not to exceed \$165,000.00.

Which was read.

Also,

Bill No. 1988:

Resolution providing that the City of Pittsburgh enter into a professional service contract with Allegheny General Hospital for the purpose of providing medical and ancillary services for the City's workers compensation program, at a cost not to exceed \$4,448,661.00.

Which was read.

Also,

Bill No. 2006:

Resolution authorizing the issuance of a warrant in the amount of \$12,980.00 in favor of Rudy Lopez, Jr., in payment of contract for the demolition and removal of a three story brick dwelling located at 1266 Spring Garden Avenue in the 24th Ward.

Which was read.

Also,

Bill No. 2008:

Resolution providing for the issuance of a warrant in favor of George Eli and Associates in the amount of \$2,653.00 for replacement of the entire frame of the Pelican Shelter to be placed at River Park Centennial site.

Which was read.

Also,

Bill No. 2016:

Resolution providing for the issuance of a \$990.00 warrant in favor of Deloros Wyant in settlement of claim for

an incident in which claimant's vehicle was struck from behind by a City EMS vehicle.

Which was read.

Also,

Bill No. 2017:

Resolution providing for the issuance of a \$2,154.00 warrant in favor of Jennifer Parson in settlement of a claim for sidewalk damage due to City tree roots.

Which was read.

Also,

Bill No. 2018:

Resolution providing for the transfer of the amount of \$400,000.00 from Code Account 45, Health, Life, Insurance Municipal employees, Department of Finance to Code Account Special Summer Food Service Program Trust Fund, Department of Parks and Recreation.

Which was read.

The Chair:

You have heard the reading and title of the Bills, is there any discussion.

Mr. Udin:

Mr. President, Bills 1987 and 1988 are the annual renewal of the Workers' Compensation package. It includes both the contract for legal counsel as well as the basic funding of the Workers' Compensation Fund.

As we discussed in the Standing Committee, the new contractor, Allegheny General Hospital, has made some important advances in being able to shorten the length of time that it takes to get a claim filed and worked on. They are pursuing each claim with the medical investigation and legal investigation much quicker. They have brought about or at least identified 150, I believe, of the previous compensation workers back to a status of limited work. This is a very large item in the budget, Mr. President, and it is very difficult to make quick changes in the largest core of the budget which is over 800 people who over the last, perhaps, 25 or 30 years have been on workers compensation. Through many years of neglect and not vigorous investigation, we have a large number of people who will be entitled to workers compensation for the rest of their lives or their spouses will and we'll be unable to amend that figure significantly.

I'm convinced that the contractor is within the bounds of what is legal and possible doing what it can around the edges. I would hope that there will be some more aggressive plan to figure out how we can lower the number of people who are permanently collecting unemployment compensation and find a way to get them back to work either in light duty or in some other capacity.

I'm prepared Mr. Chairman to support this annual renewal in Bills 1987 and 1988.

The Chair:

Thank you.

Any other discussion?

Just briefly on two Bills on the Ordinance I submitted regarding the Tax Increment Financing, I want to thank my colleagues for their input and discussion. We've had series of discussions as well as a public hearing that took place on this Bill. I also want to thank the Mayor, Mr. Leeper and Director Birru from the URA for their support in helping us better critique and define in this ordinance what the set of criteria will be in order for potential development projects to stipulate more clearly to this Council, to the School Board and to the public what the exact benefit will be.

Most notably this Bill is an attempt to better quantify what the potential jobs are that will be created and/or will be retained as a result of this Council's commitment to utilize potential tax revenues going back into assisting the actual construction, amortizing those capital cost, upwards of 10 to 20 year period. We've seen as part of our really what could be best described as a continued renaissance in and around the downtown corridor, part of this Administration's and this Council's commitment, not only with the creation of the economic development fund of several years ago, but now with the advent of the mechanism of the tax increment financing we've seen major new development in and around the downtown. We've already approved five different TIF proposals, the Lazarus Department Store, the Hornes, Blue Cross/Blue Shield deal, the new Alcoa Corporate Headquarters, the Union Switch and Signal, the Penn Liberty Plaza, and shortly will probably support and entertain support for the Federal North Development TIF to really make

substantial changes in that part of the North Side Community.

It's an important instrument, but I think it has to be more clearer what the benefit is and we need to be more specific about the actual job linkage and creation of employment opportunities for City of Pittsburgh residents. That's really, to me, kind of at the heart of the bill as well as some of the issues that are enumerating the Ordinance.

I want to thank my colleagues for their support. Again, I'd like to move on this Bill today, but if there's any additional language or amendments -- Councilman Onorato, on this Bill?

Mr. Onorato:

Thank you, Mr. President.

I told you I would have it in writing and I apologize that I didn't give it to you earlier. I just finished it. It's very small and I'll pass one up to you.

The Chair:

Thank you, Councilman.

Mr. Onorato:

What it is under Section 201.11, Section C, Number 8, it's just adding letter G and the statement is very short but I think it goes to the issue I kept on bringing up. It will read in this plan that's submitted with anyone of these TIF's. G will read, a statement describing the company's past record of hiring City residents and minority/women. I think it's critical as I said last week that we also reward companies that have shown years

of good activism on recognizing where they are located and doing some outreach in the community on where they're locating as opposed to just getting promises for the future. There's a lot of good companies that have been around doing what we're asking new companies to do. If they're applying for a TIF, I think that should be considered. That's all this is addressing. It's just another criteria that they can receive benefit for.

The Chair:

Is there a second on the motion?

MR. HERTZBERG seconded the motion.

The Chair:

Any other discussion specifically on this proposed amendment?

Obviously, I wholeheartedly support it.

Any other discussion?

Which motion prevailed.

The Chair:

Are there other concerns on the proposed amendments?

Mr. Ricciardi:

Not on the amendment, but on the Bill itself, Mr. President.

I just would like to applaud you for drafting the Legislation. It will help add consistency to all the TIFs that come before us and help us quantify the good and the bad, hopefully more of the good.

As a matter of fact, I've already drafted a letter and I'm going to be mailing out your legislation to many people who have a lot of concerns and who are opposed to TIFs in my district to better show them that this isn't something that we just pull out of the air that this is something that we thought through and something that's going to help the City of Pittsburgh. So, you've made my job much easier by drafting this legislation, so I thank you for that Mr. President.

The Chair:

Thank you.

Any other discussion or comments?

I have a concern about --

Mr. Ricciardi:

On other bills.

I have a question and then a comment, Mr. President, on Bill No. 1985. The Resolution before us for a warrant it appears that there was an amendment made and I apologize I must have not been at the table on Section 2, contingent upon final payment of this warrant, the City Law Department is directed to forward all information regarding this case to the US Attorney and the State Attorney General for their report and recommendation.

Mr. President if the sponsor of this particular amendment can speak to that amendment and then I'll have a comment on it. If someone who sponsored that could tell me why they sponsored it.

The Chair:

I sponsored the amendment and I don't know that I want to speak on it. We met twice in the Executive Session on this Bill. It's very difficult to actually discuss this Bill because, under the advice of the City Solicitor, it kind of hand strung our ability to actually talk about this Bill and I'm not going to really talk about it now.

If you know the case and all of the bill of particulars in this bill, it's a proposed payment to an individual who lives outside the City. I'm not going to repeat all the instances. If we want to recommit this back to an Executive Session, that's fine with me. It's very difficult to discuss the Bill.

The intent of the amendments obviously, at least in my making, was because of the gravity and all the different issues that came up and that are intrinsic to the payment and to all the issues that were outlined by the Solicitor in relation to this settlement. I always say Council has several hats, one is legislative and another fiduciary. In this sense, I think we need to cut and make payment because we're going to be on the line for a lot more money. The situation is very troubling and I made this in the spirit of asking that this whole file be reviewed by the US Attorney and the State Attorney General. Unfortunately, I'm a little bit hand strung and I'm not going to embellish that.

Mr. Ricciardi:

I understand.

Just on those comments, Mr. President that the way this resolution stands if we do not recommit it, I'm not voting for it. I believe that I fully understand all the facts of the case. I believe that the case was properly handled

by the City of Pittsburgh and by OMI. I believe having Section 2 on there is just not only the insult to the officers and to the City, but it's just spontification on an issue that has been before us in the past regarding police investigation.

If this remains, I'm not going to vote for the Bill. If other people feel uncomfortable with it also and make a motion to recommit, I would thank them for that and I would vote to recommit.

Thank you.

The Chair:

Obviously, it's very difficult to talk about this Bill in defending my amendment which I can easily embellish and defend. We held this Bill, we had two Executive Board meetings. We'll have a third, a fourth and a fifth as far as I'm concerned. Without some amendment or some follow-up, I will not vote for the bill for the opposite reasons that you won't vote for the Bill.

What's the pleasure of the Body? We can either recommit it, we can try to quietly outline and skirt all the issues without talking about it publicly or we can move on the Bill or you can make an amendment to delete this amendment. What's the pleasure of the Body? Councilman Onorato.

Mr. Onorato:

I am going to make the amendment to recommit only in fairness to you, Mr. President. I sat through the Executive Sessions, but I did not sit through the debate on the amendment because I was here a little late with a conflict last week.

The Chair:

Well, there really wasn't any debate.

Mr. Onorato:

Okay.

I have a problem with the amendment. To give you an opportunity to discuss it in an Executive Session, I'll make a motion to recommit.

MR. RICCIARDI seconded the motion.

The Chair:

Any other discussion?

Which motion prevailed.

The Chair:

The Bill is recommitted, Bill 1985. I would ask that the Clerk communicate to the Solicitor and to the Chief of Police our desire to continued discussion on this Bill.

On the remaining Bills?

Hearing none, the Bills are now ready for final action.

All in favor of the passage of the Bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Ms. O'Connor	Mr. Ferlo

(Pres't)

(Mr. Udin voted no on Bill 2008.)

All of the Bills having received the legally required number of votes have been approved finally.

MS. MCDONALD PRESENTED:

Bill No. 2076:

Report of Committee on Housing, Economic Development and Promotion Services for June 11, 1997 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1975:

Resolution providing for the execution of a cooperation agreement with the Urban Redevelopment Authority of Pittsburgh for performance of certain work in connection with the 1997 through 1998 Community Development Block Grant Program and providing for the payment of the cost not to exceed, \$9,023,900.00.

Which was read.

The Chair:

You have heard the reading and title of the Bill, is there any discussion?

Hearing none, the Bill is now ready for final action.

All in favor of the passage of the Bill will vote aye when their names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
Mr. O'Connor	Mr. Ferlo

(Pres't)

AYES Eight NOES None

The Bill having receiving the legally required number of votes has been approved finally.

MR. CUSICK PRESENTED:

Bill No. 2077:

Report of Committee on Parks, Recreation and Youth Policy for June 11, 1997 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2007:

Resolution providing for the lease and/or license for the use of certain property for community recreation center located at 200 Taber Street, at a yearly rental cost not to exceed \$9,300.00.